

Charlotte Harbor CRA Redevelopment Plan

A Blueprint for Today



ADOPTED

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Charlotte Harbor Community Redevelopment Plan

Charlotte County Board of County Commissioners

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Section I. Introduction

The Charlotte County Community Redevelopment Agency was established in 1992 by the Board of County Commissioners to pursue redevelopment activities in the Charlotte Harbor Community Redevelopment Area. In 1994 the first CRA plan was written to address the deteriorating physical and economic conditions which prevailed in this historic section of the County. Much has been accomplished since the CRA's inception 13 years ago, but timely updates and adjustments to the plan ensure that appropriate strategies are employed to address relevant issues and concerns expressed by local residents, businesses, and the Community Redevelopment Area Advisory Committee to assure that the conditions are being improved.



Figure 1: Charlotte Harbor is located in central Charlotte County, on the southwest coast of Florida.

part adequate, there are some obvious issues that need to be addressed to make redevelopment opportunities, particularly in light of the properties “newly available” for development, come to fruition.

The arrival of Hurricane Charley in August 2004 had a devastating impact on the area and severely altered the landscape. With the assistance of FEMA, the residents of Charlotte County developed a long-term recovery plan and redevelopment of Charlotte Harbor was identified as high priority.

To further the implementation efforts of the Charlotte Harbor Community Redevelopment Plan, a review of the existing plan and confirmation of priorities and consensus on rebuilding issues was recommended in 2005. With the assistance of a planning grant from the Department of Community Affairs (DCA) and contribution of local Tax Increment Funds (TIF) a community planning exercise was authorized. It is with this goal in mind that the CRA hired the consulting team of Dyer, Riddle, Mills and Precourt, Inc. and Heidt & Associates, Inc. to update the eleven year old CRA Redevelopment Plan.

The consulting team met with the CRA Advisory Committee (CRAAC) and County planning staff to review the Charlotte Harbor CRA redevelopment Plan and identify the problems, issues, and desires facing the community. This fact-finding meeting was a precursor to the all-day Public Charette/Workshop which was held the following week. The ensuing discussion and workshop only reinforced and confirmed what the team's research had revealed; while the CRA plan in its original form is for the most

Section II. Background

History of Charlotte Harbor

The following brief history of Charlotte Harbor is condensed from passages in the book entitled, *Our Fascinating Past, Charlotte Harbor: The Later Years*, by Lindsey Williams and U.S. Cleveland, 1993.

Charlotte Harbor is one of the oldest areas in Charlotte County. The history of the Charlotte Harbor area goes back some 3,000 years when it was inhabited by Native Americans, either Calusa or Timucua aborigines. These Native Americans built mounds and established camps along the edges of the harbor. One large mound, which had been located at the corner of Melbourne Street and Northshore Drive, was unfortunately destroyed during the 1920s when land developers used its material as fill for building sites.

More recent history indicates that Hernando DeSoto, who explored the southeastern United States, may have landed at Live Oak Point in 1539 and made his base camp there; the area wasn't known as Charlotte Harbor until the 1880s. It was acknowledged in 1988 by the DeSoto Trail Commission that Live Oak Point was a possible location for DeSoto's landing. It authorized the placement of a marker at Live Oak Point stating that "Some Scholars Believe Hernando DeSoto Landed near Here In 1539."

In 1566, another explorer, Pedro Menendez D'Avilles, came to the Charlotte Harbor area and established the San Antonia mission-fort. Its actual location has never been established. The harbor, given the name San Carlos Bay by the Spanish, was known to be a plentiful source of fish and mollusks and it is believed that Menendez was instrumental in establishing a fishing industry. Although he left the area after two years, Spanish-Indian "ranchos" continued to fish the harbor. This industry served the Cuban market until about the time the United States officially acquired Florida in 1821.

Between 1763 and 1783, the British occupied Florida and the area around Charlotte Harbor was designated as an Indian Reservation. The harbor was renamed Charlotte Harbor by Bernard Romans, who surveyed the area in 1774. The name "Charlotte" was taken from Britain's Queen Charlotte.

In 1819, the United States gained possession of Florida but this area did not really begin to be settled until shortly after the beginning of the Civil War. Settlement was initiated in 1862 when a cattle dock was built by Joel Knight, Captain James McKay and cattle baron Jacob Summerlin along the northeastern shore of Charlotte Harbor. The dock was built there in an effort to conceal Confederate smuggling operations from the "Gem of the Sea", a U.S. Navy gunboat which was blockading the harbor and observing the established Burnt Store cattle dock. Jacob Summerlin had a contract to supply the Confederacy with beef and Captain James McKay had a paddlewheel steamboat, named "The Scottish Chief", built to run the Navy blockade. Summerlin, Joel Knight and his brother Jesse, as well as other cattle barons, had used the Burnt Store dock to ship cattle to Cuba and were among those who utilized the new dock in order to furnish beef to the Confederacy. A general store was built near the dock

by Henry Knight, brother to Joel and Jesse. This store sold commodities smuggled in by Captain McKay after his trips to the Confederacy. Some homes were also built close to these structures by cowboys or cow hunters as they preferred to call themselves.

An old Indian trail became a well used cow path and this path is now paved over and named King's Highway after a prominent cattleman, Ziba King. Figure 2 at the end of this section provides a map of the many of the historic sites in the area.

Two Union officers, Nathan H. DeCoster and John F. Bartholf, promoted the development of Charlotte Harbor. They were stationed in Fort Myers during the Civil War but moved to the Charlotte Harbor area after the war was over. Nathan DeCoster built a sawmill in the area of Melbourne and U.S. 41, also known as Hickory Bluff. At the time, this sawmill was the first mill south of Tampa. He later sold the mill and bought a large tract of land about a mile to the east. He platted this land and named it Harbor View.

John Bartholf was appointed superintendent of public instruction in 1869 and built a one-room schoolhouse in 1873 to serve the children of the village now encompassing Live Oak Point, Hickory Bluff and Harbor View. He was also appointed postmaster at Hickory Bluff in 1876 and named the post office, located in the Knight store, "Charlotte Harbor" to describe the north shore territory. An early businessman, Matthieu Giddens, was the person who donated the land used for the school, and also for the church and cemetery. The Trinity Methodist Church was established in 1873. It is the oldest house of worship in the county and its congregation has met continuously for over 100 years. The structure has been rebuilt numerous times, but the pews date back to 1890. The church is currently located near Parmley and Seneca Streets in Charlotte Harbor Neighborhood District. Another man, T.S. Morgan, was operating a sugar mill on the property now owned by the county, just west of Bay Shore Drive.

In 1921 the first bridge from Charlotte Harbor to Punta Gorda was completed. In 1930 the census indicated that there were 299 people in Charlotte Harbor. The town had its own newspaper and rivaled Punta Gorda for the county seat at Charlotte County's inception. Although time and hurricanes have taken most of the original homes from Charlotte Harbor, several turn of the century homes still remain in the area. The cattle dock that started the settlement at Charlotte Harbor has been replaced several times over its 135-year history. Currently, the dock serves as a public fishing facility. In 1993 the American Forestry Association designated the many live oak trees in Charlotte Harbor as the Historic DeSoto Grove and, in the same year, the Board of County Commissioners designated Charlotte Harbor town as a Local Historic District.

New Beginnings for Charlotte Harbor

The Charlotte Harbor area remained relatively unchanged until the 1970s when development of the surrounding Port Charlotte area accelerated. This development led to the realignment of U.S. 41, bisecting the Charlotte Harbor neighborhood. Commercial development concentrated along the U.S. 41 corridor most often came in the form of small strip-mall shopping facilities. As growth prospered in other areas of Port Charlotte, the populace shifted to the northeast and northwest leaving behind a deteriorating residential housing stock. Also, consumer interest strayed from what was considered the historic commercial business district to the newer business opportunities being developed north along U.S. 41.

Charlotte Harbor experienced a drastic decrease in its property values. Properties were simply abandoned and depreciated due to a lack of owner interest and investment.

In the beginning of the 1990s, residents and small-business owners began to recognize the need to band together to reverse the blight of Charlotte Harbor. The Charlotte Harbor Committee was formed by volunteers who first met with the Charlotte County Sheriff's Office to develop a Neighborhood Watch group to deter crime. Following moderate success from this activity, the group next planned and executed "Clean Up Days", which addressed the debris that had collected on abandoned lots. As the success of these efforts became apparent, the group was able to convince the Charlotte County Board of County Commissioners (BCC) to declare the area a Community Redevelopment Area as defined in Chapter 163, Part III of the Florida Statute.

The Community Redevelopment Act (F.S. §163.387) states that after approval of a community redevelopment plan, each community redevelopment agency can establish a redevelopment trust fund. Funds allocated to this trust may be used by the Agency to finance or refinance any allowable redevelopment activity to implement the community redevelopment plan and to carry out redevelopment activity in recognition of the need to eliminate and prevent conditions of slum and blight. The Community Redevelopment Trust Fund will receive all tax increment money, grants, gifts or revenues generated by redevelopment activities. The annual funding of the Community Redevelopment Trust Fund will result from additional incremental taxes collected in the Community Redevelopment Area by the County. The increment available will be determined annually in an amount equal to 95% (ninety-five percent) of the difference between:

1. The amount of ad valorem taxes levied each year by the County, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Community Redevelopment Area; and
2. The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for the County, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Community redevelopment Area as shown upon the most recent assessment roll used in connection with the taxation of such property by the County prior to the effective date of the ordinance providing for the funding of the Community Redevelopment Trust Fund or the base year.

To most effectively use the tax increment revenues, the CRA and the County leverage other County, State and Federal funding sources such as advances, loans, tax increment revenue bonds and grants as appropriate and available to carry out the provisions of the plan and for public improvement projects that enhance redevelopment activities in a CRA district.

In order for a local government to establish a CRA successfully, it must prove that the area meets the statutory conditions required by law, demonstrate a public commitment to redevelopment, and provide for a coordinated planning process among local and county governments. To carry out the redevelopment activity, the Community Redevelopment Act assigns a variety of powers to a municipality. Most of these powers

may then be delegated to a Community Redevelopment Agency: others may remain vested in the city or county commission as noted in Chapter 163.370 of the Florida Statutes.

Finding of Blight

Prior to any local jurisdiction being able to utilize the mechanism of redevelopment, conditions of blight must first be identified in the subject area, and then the findings of blight must be officially declared by the governing body. Blight can be defined by two or more of the following factors that impair sound growth within the County (as the statute was amended in 2002).

- Defective or inadequate street layout;
- Faulty layout in relation to size, adequacy, accessibility, or usefulness;
- Unsanitary or unsafe conditions;
- Deterioration of site or other improvements;
- Tax or special assessment delinquency exceeding the fair value of the land;
- Diversity of ownership or defective titles; and/or
- Inadequate infrastructure to handle the volume of traffic flow.

In 1992 a study was conducted which confirmed the conditions of blight in the Charlotte Harbor area for each of these categories. This study formed the basis for the Resolution 92-251 and the Charlotte County Board of County Commissioners' (BCC) approval in the finding of blight. The approved Resolution 92-251 and the Finding of Necessity Study can be found in Appendix A.

The Community Redevelopment Area Advisory Committee

On November 3, 1992, via Resolution #92-251, the Board of County Commissioners (BCC) designated Charlotte Harbor as a Community Redevelopment Area pursuant to Florida Statutes, Section 163.330. The BCC also created the Charlotte County Community Redevelopment Agency (CRA) and declared itself as the governing board of the CRA charged with overseeing redevelopment of the area. In addition, a seven-member advisory board called the Community Redevelopment Area Advisory Committee (CRAAC), was created via Resolution 92-252 for the purpose of working directly with residents, merchants and government officials to build consensus between all the various interests in the neighborhood, as well as advise the BCC. The Resolutions that approve these actions are all contained in Appendix A.

The Charlotte Harbor Community Redevelopment Plan

After a finding of necessity and creation of the community redevelopment agency, a community redevelopment plan that conforms to the comprehensive plan is required. The elements of the plan include: a legal description of the boundaries of the community redevelopment area; a diagram and description of: the amount of open space, limitations on the size, height and density of buildings, the approximate number of dwelling units, and property that is intended for use as public parks, recreation areas, streets, public utilities, and public improvements; a

neighborhood impact element if the area will contain low or moderate income housing; any publicly funded capital projects; the safeguards that the work will be carried out pursuant to the plan; controls or restrictions or covenants running with the land; assurances of replacement housing for displaced people; residential use element; projected costs; and timeframe of the project. Redevelopment revenue bonds or tax increment financing may then be issued by the local government to finance the project. Figure 3 located at the end of this section depicts the CRA area and its boundaries.

In 1994, the community adopted the following vision statement for the Charlotte Harbor Community Redevelopment Area: Revitalize the Charlotte Harbor area by promoting the ambiance of an old Florida waterfront community with its tree canopy.

There are two documents that currently govern the implementation of redevelopment activities in Charlotte Harbor; The Charlotte County Comprehensive Plan and the Charlotte County Land Development Code (LDC). These regulatory documents are available on the County's website or at the Charlotte County Community Development Office. Descriptions of some of the Ordinances are provided below.

In 1994, the BCC adopted three ordinances (94-67, 94-68, and 94-69) that amended the Charlotte County Future Land Use Element of the Comprehensive Plan to incorporate a Future Land Use Map reflecting the Charlotte Harbor Community Plan and established policies to implement the Community Plan for Charlotte Harbor.

Today, the Charlotte Harbor Community Plan is reflected in Objectives (2.3) and Policies (2.31 to 2.3.14) of the 1997-2010 Charlotte County Comprehensive Plan. The Comprehensive Plan has been subsequently amended; Ordinance #2005-007 deletes language prohibiting multi-family residential development south of Bayshore Drive. This latest revision is a positive move that opens the door to redevelopment projects that are financially feasible in this area given the rapidly increasing cost of riverfront properties. An additional amendment was adopted in November 2005 to increase the Floor-Area- Ratios (FAR) and eliminate the maximum building coverage of a lot requirement to provide additional incentives for the development of mixed-use projects.

Beginning in 1996, the Charlotte Harbor CRAAC recommended specific design standards for the redevelopment area. The design standards reflect an "old Florida" vernacular with metal roofs, verandas, or double-hung windows required. Ordinance #96-011, adopted on February 20, 1996 provided for permitted land uses and zoning districts that were appropriate within the CRA. These regulations were codified in the Code of Laws and Ordinances of Charlotte County ("the Code") as Section 3-9-50 through 3-9-50.7. Subsequent to the approval of Ordinance #96-011, the BCC also adopted Resolution #96-026 which provided for non-mandatory architectural design guidelines for the CRA. Both of these documents have been amended over the years to its present state. Ordinance #2002-040 amended Ordinance #96-011 to provide for sign regulations within the CRA and other changes deemed necessary, while Resolution #2002-119 amends Resolution #96-026 to replace the original architectural design guidelines with newly revised architectural design criteria to be used throughout the Charlotte Harbor CRA. Ordinance 98-52 made the all architectural design guidelines mandatory.

The results of the mandatory architectural standards are beginning to be recognized as new development has started to take place within the CRA. The standards will assure that all rebuilding that takes place since the hurricane will meet these standards.

Most recently, Ordinance #2004-064 was adopted that further amends the Comprehensive Plan. This ordinance reduces the front yard setback requirements to a maximum of nine (9) feet with a minimum of zero (0) feet in certain zoning districts. This change was implemented to create an urban fabric along US41, which would require buildings close to the roadway and limited parking spaces being visible from the roadway. Implementation of this standard will be realized as many of the commercial businesses apply for building permits

In order to develop implementation strategies and focus resources, the CRAAC decided to identify four sub-districts for a Phase I implementation strategy; the Riverwalk District, the US 41 Gateway District, Charlotte Harbor Neighborhood District and the Melbourne Neighborhood District, each with their own unique goals and vision. The intent is to prepare distinct criteria and standards for development in each of these districts, but not without losing sight of the CRA's overall vision and purpose. Phase I assumes a five year planning timeframe from 2006-2011. Phase II activities are considered to take place between 2012 and 2016, another five year planning and implementation horizon.

Charlotte Harbor Town In the Late 1800's

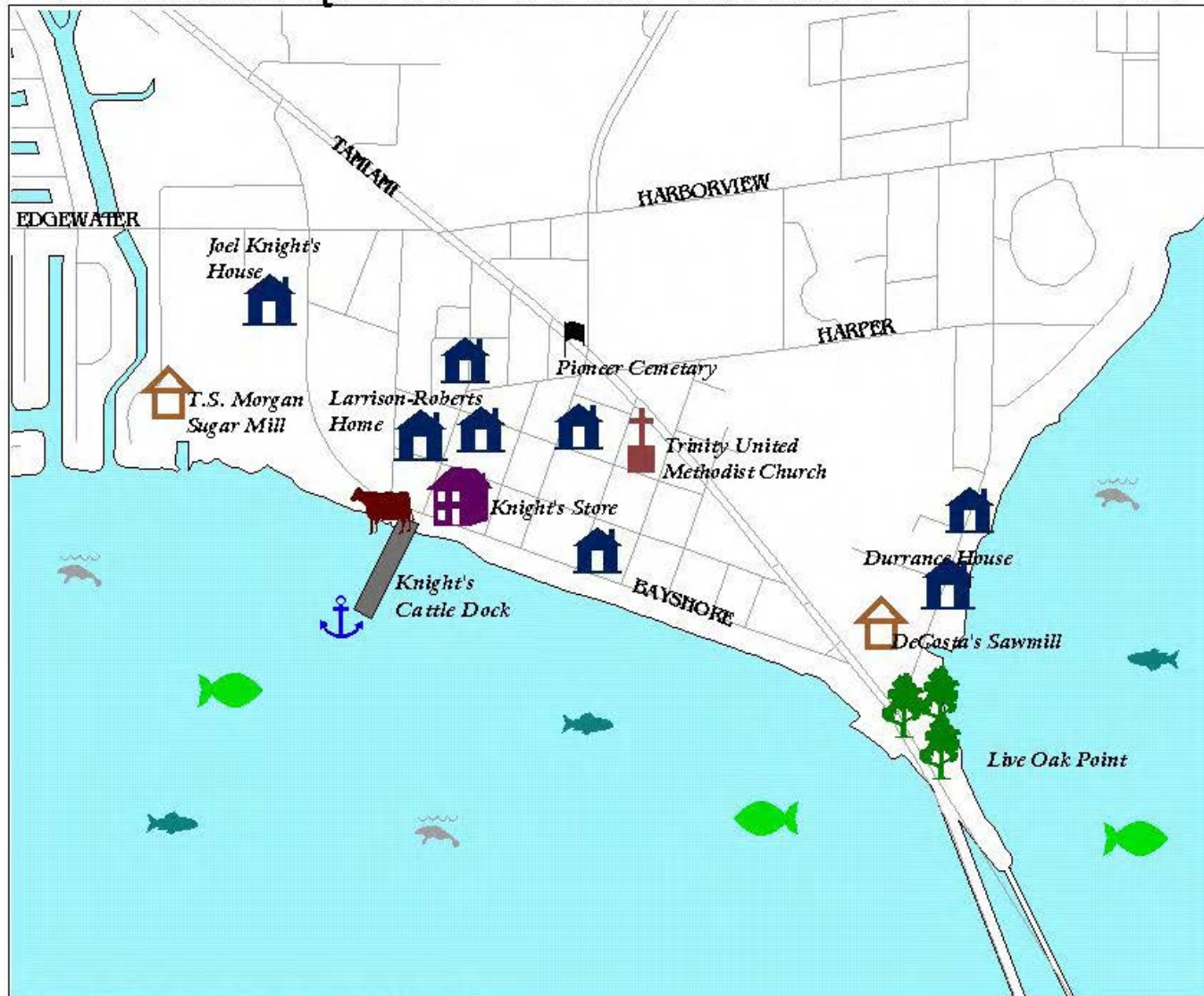


Figure 2: The information in this map was compiled from many sources on Charlotte Harbor. Locations are approximate. Courtesy of Charlotte County.

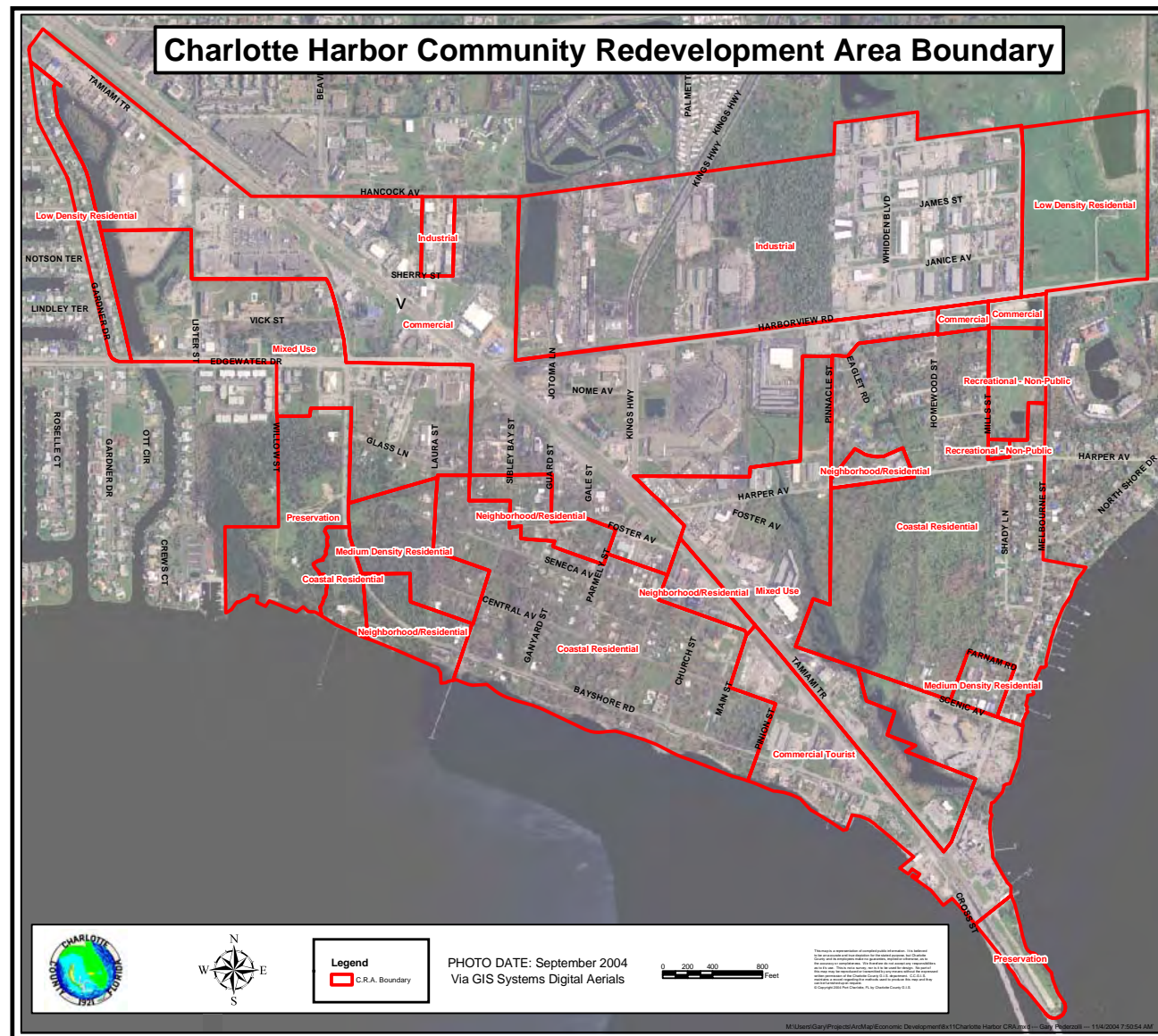


Figure 3: The 766 acre Charlotte Harbor CRA boundary map.

Section III.

Analysis and Goal Setting

Inventory Summary

Information for the plan was collected from several sources, including previous planning studies, site visits, public workshops, interviews with County staff, technical documents, and interviews with citizens and property owners in the CRA. The intent of this summary is to provide a general understanding of the existing conditions in the Charlotte Harbor Redevelopment Area and to establish a foundation for the recommendations.

Population and Demographics

The Charlotte Harbor CRA is located in the Mid-Section of Charlotte County beginning on the west side of the Peace River Bridge and measures approximately 766 acres in size. The Charlotte Harbor CRA consists of two Census Block Groups; Census Tract 210, Block Group 1 and 2. Block Group 1 is in its entirety within the CRA (shown in pink) on Figure 4, (located at the end of this section) and Block Group 2 has only a very small portion located within the CRA (shown in blue). For discussion purposes, only Census Block Group 1 (pink) will be considered. Omitting the small section of Block Group 2 will not significantly impact discussion as it contains mostly industrial uses in the northeast section of the CRA. Further, the section of Census Tract 210, Block Group 1 not contained in the CRA will compensate for Block Group 2 not being taken into consideration. Since the Census data is from 2000, numbers will be approximate at this time.

According to the 2000 Census data, the accompanying table is the population, demographic and residency breakdown for this section of the County. The population in Charlotte Harbor in 2000 was 74 years of age which is considerably older than average age for Charlotte County which is 54 years of age. Approximately 2% of the population of Charlotte County resides in Charlotte Harbor. Roughly 51% or greater of this population was reported to be Low to Moderate income. Although there has been recent investment of public and private monies into the Charlotte Harbor CRA, including some housing rehabilitation in the residential areas, there are still a number of dilapidated or deteriorating structures in the CRA. The County's Low to Moderate Income Areas, as determined by federal guidelines, is also the Census Tract that covers Charlotte Harbor as shown in Figure 5, located at the end of this section.

Block Group 1, Census Tract 210, Charlotte Co., FL	
Total Population	2,503
• White	2,294
• Black	96
• Native American	5
• Asian	28
• Other	80
Male	996
Female	1,507
• Below 18	215
• 18-24	116
• 25-44	332
• 45-64	353
• Over 65	1487
Median Age both sexes	74.1
Number per Households	1.63
Number of Housing Units	1,589
• Occupied	1,292
o Owner	621
o Renter	671
• Vacant	297

Land Use

Charlotte Harbor CRA is an area of approximately 766 acres and contains 1,213 parcels of land. There are ten different land use designations in the CRA however most properties fall within four larger percentages: Coastal Residential (177.76 acres or 23.21%), Commercial (166.05 acres or 21.68%), Industrial (133.29 acres or 17.40%), and Mixed Use (112.67 acres or 14.71%).

Future Land Use Classifications		
Classification	Acreage	Percentage (%)
Coastal Residential	177.76	23.21
Commercial	166.05	21.68
Commercial Tourist	46.37	6.05
Industrial	133.29	17.40
Low Density Residential	41.33	5.40
Medium Density Residential	19.95	2.60
Mixed Use	112.67	14.71
Neighborhood/Residential	26.83	3.50
Preservation	25.17	3.29
Recreation - Non-Public	8.80	1.15
Total	765.80	100

Of these, three classifications, or 31.21% of the land is strictly for residential use, two classifications or 39.08% of the land is intended for commercial use, and three classifications or 24.26% of the land allows for both commercial and residential use in one form or other. A complete description of these land use classifications can be found in the Charlotte County Comprehensive Plan. The Charlotte Harbor Future Land Use Map (Figure 6) is located at the end of this section.

Lot Size and Configuration

Charlotte Harbor was laid out prior to current minimum lot size and buffering requirements. Consequently, the majority of the lots do not comply with Charlotte County standards. Most properties were platted and built prior to 1950 as small (5-10 dwelling units) subdivisions and are nonconforming to existing codes, with regard to setbacks, parking, lot dimensions and lot coverage. The lots in Charlotte Harbor are generally smaller than the 10,000+ square foot lots common to neighboring Port

Sample Lot Sizes from Representative Areas in Charlotte Harbor	
Avg. Lot Size (s.f.)	Location in the CRA
5,000	Oak Street, north of US 41
11,300	Central Avenue, south of US 41
8,500	Seneca Avenue area
5,900	Gulf Coast Avenue area
8,900	Bayshore Drive area
8,900	Laura, Seward Street area
10,000 (minimum)	Typical Port Charlotte lot 80' x 125' (min.)

Charlotte. Furthermore, the layout of the lots is erratic, since many are platted in small, nonconforming subdivisions that pre-date most of the residential development within Charlotte County.

Housing

The CRA is home to several quality affordable housing sites and there are more in the planning stages. Villa San Carlos II on Vick Street is an existing affordable housing site located within the CRA. Rents at Villa San Carlos are scaled—30% of tenant income and the resident must be 62 or over at an income level of \$17,200 or less to be eligible. Currently, there are no vacancies at the 54 unit, Villa San Carlos II. However, in the development stage is Charleston Cay, located on Harborview Rd. It will have a total of 400 units; 232 for sale condominiums, 32 of those are set aside for households at 80% of Average Median Income (AMI) and 168 rental units will be funded by tax exempt bonds, which will be at 60% AMI or less. Also in the planning stages are a Senior Complex on Lister Street, and Marion Manor owned by the Archdiocese of Venice on Vick Street which requires that for the 32, 2-bedroom units, the (non-elderly) resident must qualify at 60% AMI or less. The table summarizes the affordable housing site available within the CRA.

Charlotte County is supporting the development of a Community Land Trust to further implement the development of affordable housing in the community. A Community Land Trust (CLT) allows a non-profit to purchase land and hold the land in perpetuity for affordable housing and only the house is sold or transferred, never the land. A CLT can reduce ownership costs and preserve affordability in a community.

Transportation and Roadways

The principal artery in Charlotte Harbor is US 41, a six-lane divided highway which effectively splits the CRA in half. This highway segment has an actual traffic volume which operates close to the level of service adopted in the Charlotte County Comprehensive Plan during peak season. The segment of US 41 at the southern boundary of the CRA is a constraint facility between the landfall of the bridges and Melbourne Street. In February 2005, the traffic station on US 41 between Hancock and Harborview Road had an AADT count of 51,524 vehicles versus an adopted maximum of 53,228 vehicles and operated at 97% of the LOS for that month. The current adopted Level of Service for this roadway is C.

Summary of Affordable Housing Sites located in the Charlotte Harbor CRA					
Development Name	CRA Location	Total # of units	Affordable # of units	Age Restricted	Eligibility
Villa San Carlos II	Vick Street	54	54	yes	30% of tenant income of \$17,200 or less to be eligible
Marion Manor	Vick Street	32	32	no	60% AMI or less.
Charleston Cay	Harborview Rd.	400	32 sale condos & 168 rental units	no	80% of AMI and funded by tax exempt bonds
Senior Complex	Lister Street	unknown	unknown	yes	unknown

The remainder of the Charlotte Harbor road network is characterized by faulty or inadequate street layout. The intersections with US 41 are at acute angles, causing an abnormal entry and exit situation. The streets within most of Charlotte Harbor are inadequate in size, construction and drainage. This general opinion is from the Charlotte County Public Works Department and the Florida Department of Transportation who have both pointed out the irregular street layout as being a cause of congestion and accidents. This condition exists mainly because the intersections in Charlotte Harbor predate modern highway design concepts for safety and ease of entry and exit.

To facilitate accessibility and improve traffic movement and safety the Florida Department of Transportation initiated a Corridor Access Management Study (CAMP) in 2005 for the area. The study will evaluate intersection improvements and access to the US 41 roadway throughout the County. The study is expected to be completed in 2007. In addition, the Charlotte County/Punta Gorda Metropolitan Planning Organization (MPO) will complete the Long Range Transportation Plan for 2030. The plan will also contain a Cost Feasible Improvements Plan which may include improvements within the Charlotte Harbor Community Redevelopment Area. The draft 2030 Long Range Transportation Plan is included as Appendix B.

Increasing alternative modes of transportation through pedestrian and bicycle systems and the development of convenient mixed use projects will enhance the overall transportation network in the community. A proposed Sidewalk Master plan which will allow for increased pedestrian and bicycle mobility throughout the Charlotte Harbor Community Redevelopment Area is shown in Figure 7, found at the end of this section.

Analysis

Many of the blighted conditions that exist in Charlotte Harbor CRA are related to a lack of sufficient infrastructure. Many of the projects identified in this Plan are for the entire CRA in terms of engineering, design, and construction of key infrastructure needs including water, wastewater, and stormwater management. Those projects will be designed and engineered in the most cost-effective manner. Construction of those improvements may occur in a Phased approach as funding is approved. If long-term financing allows for the completion of complete systems in Phase I, the CRA will pursue that means to allow for the most efficient and cost-effective measures to complete the infrastructure improvements.

In the fall of 2004, as a result of various redevelopment objectives that were foreseen for the area, the Charlotte Harbor CRA was divided into four districts for planning and implementation purposes proposed by staff and approved by the CRAAC. These districts allow for a focus and orderly redevelopment of the Community Redevelopment Area. The districts allow for the development of individualized strategies specific to meet the needs of the identified area. The districts are described below and identified on the CRA Districts Map found in Figure 8, located at the end of this section.

The different districts also present opportunities that will be addressed through proposed strategies in the redevelopment plan. Analysis of the existing conditions in each of the districts was considered within the context of the overall economic positioning strategy for the CRA. The

analysis also takes into consideration the community objectives expressed during the public involvement process. Overall, the intent of the analysis is to identify and explore issues and opportunities that will become the foundation for the redevelopment plan.

Each district's analysis includes a general overview of the land use, physical characteristics, and goal for the area. The assets are identified—those characteristics that the community should strengthen and build upon; as well as the issues—those items that need to be addressed through recommendations and implementation strategies. Also included are brief descriptions of opportunities that will be expanded upon in subsequent sections of this redevelopment plan.

River Walk District

The 61 acre Riverwalk District is bound by Pinion Street to the west, Scenic Avenue to the north, and the Peace River to the south and east. It represents an area that has potential to capitalize on the scenic, recreational and historic quality of the riverfront to develop into a resort, entertainment, dining and specialty retail shopping destination for Charlotte County. The Land Use designations found in this district are Commercial, Commercial Tourist and Preservation. It is in this area that the US 41 Bridge Pedestrian Promenade is proposed to connect the two sides of US41 and provide public access to Charlotte Harbor. Figure 9, located at the end of this section, depicts the Riverwalk District.

Goal

To develop a mix of uses: residential, retail, and tourist-related that will provide continuous public access along Charlotte Harbor that captures the area's heritage, while becoming a pedestrian-oriented destination for residents and tourists and enhancing the connection to downtown Punta Gorda.

Assets

- The Peace River
- Southern Gateway to the CRA
- Vacant land for assemblage or in-fill development
- Quality view sheds
- Prime development potential
- Potential destination point
- Increasing investment interest
- Potential for tax base growth
- Proximity to downtown Punta Gorda
- Proximity to Bayshore Live Oak Park
- Riverfront amenity

- High visibility
- Chester Roberts Park

Issues

- Lack of pedestrian connectivity
- Need for restaurants
- Need for entertainment
- Height allowances too restricting
- Density allowances too restricting
- Deterioration or damaged building and structures
- Need to create a destination
- Lack of accommodations
- Underutilize the waterfront as an amenity
- Lack of Infrastructure
- Lack of parking
- Density Transfer Provision

Opportunities

- Waterfront development to include restaurants, accommodations, retail, recreation, etc.
- Height increase from 35 feet to a maximum of 90 feet of occupied space plus base flood elevation (BFE) or 6-8 stories over parking in certain areas if performance standards are met
- Develop performance based development standards to obtain increased height to include such items as (in no particular order at this time):
 - Riverwalk easement – dedicate to County for liability reasons
 - Enhanced Architectural and Landscape Standards
 - Open Space
 - Riverwalk Construction
 - Riverwalk funding
 - Mixed-use
 - Funding US 41 Revitalization Streetscape Plan
 - Public Space and access
 - Assemblage of land
 - Allow or provide public access dock to accommodate water taxi

- Maintain public access and viewsheds of riverfront
- Create incentive for assemblage of land
- Ensure adequate building separation and provide green space between buildings
- Allow for increased density
- Vacate Bayshore Road from Pinion north to US 41 to accommodate redevelopment and land assemblage opportunities if requested
- Construct Pedestrian Promenade to improve accessibility
- Plan and fund additional sidewalks along Melbourne, especially at creek crossing. Current bridge doesn't have sufficient right of way to include a sidewalk
- Create Incentives for infrastructure improvements
- Evaluate the use of County owned density units to facilitate targeted redevelopment projects
- Coordinate with the Punta Gorda CRA to facilitate events, promotions, and trolley services

US 41 Gateway District

The US 41 Gateway District measures 119 acres and is bound by Bayshore Road and Laura Street to the west, Harborview Road and Foster Avenue to the north, Seneca Avenue and Bayshore Road to the south, and Melbourne Street to the east. It represents an area that has potential to capitalize on the commercial corridor opportunities fronting US 41 to develop into an attractive retail, mixed-use, and commercial area that will serve the abutting residential neighborhoods as well as the rest of central Charlotte County. The Land Use designations found in this district are Commercial, Commercial Tourist, Coastal Residential, Industrial, Medium Density Residential, Mixed Use, Neighborhood/Residential and Preservation. Both the Riverwalk District and the US 41 Gateway District are included in the US 41 Beautification and Revitalization project being proposed. Figure 10 located at the end of this section depicts the US 41 Gateway District.

Goal

To revitalize the urban commercial corridor by creating a “Gateway” into the community by providing consistency with signage, landscaping, and enhance development standards that will encourage a mix of commercial uses that will provide services to local neighborhoods and the driving public.

Assets

- Northern Gateway into the CRA
- Increasing property investment and development interest
- Vacant land for in-fill development
- Tax base growth potential
- Proximity to residential areas
- Proximity to river front

Issues

- Lack of Infrastructure
- Inadequate parcel sizes
- Limited parking
- Limited interconnectivity between parcels
- Intensity of uses

Opportunities

- Height increase to a maximum of 90 feet of occupied space plus base flood elevation (BFE), or 6-8 stories over parking in an area abutting US 41, if performance standards are met.
- Height increases allowed in an area bound by US 41 to the north, Harper to the west, and Seneca to the south, with maximum height (90 ft + BFE) abutting US 41 and minimum of 35 feet required abutting Seneca and a progressively tiered (stair-step) mix of heights in between these two limits.
- Develop performance based development standards to obtain increased height to include such items as (in no particular order at this time):
 - Enhanced Architectural Standards
 - Open Space
 - Mixed-use
 - Funding US 41 Revitalization Streetscape Plan
 - Public Space and access
 - Assemblage of land
 - Increased landscaping on site
 - Providing interconnectivity between parcels
- Maintain 60 feet maximum moving northward along US 41 out of Gateway district
- Promote mixed-use
- Create incentive for assemblage of land
- Ensure adequate building separation and provide green space between buildings
- Implement US 41 Beautification and Revitalization efforts
- Create incentives for Infrastructure Improvements
- Maximize location to attract appropriate businesses to area

Charlotte Harbor Neighborhood District

The Charlotte Harbor Neighborhood District is an area measuring 123 acres with predominantly residential land use and zoning classifications, and is bound by Willow Street to the west, Scenic Avenue to the north, the Peace River to the south and Pinion Street to the east. This district represents an area that will capitalize on the scenic, residential, and historic quality of the residential riverfront to remain the oldest residential settlement in Charlotte County. The Land Use designations found in this district are Coastal Residential, Commercial Tourist, and Preservation. It is in this area that the Bayshore Live Oak Park is located. Figure 11 located at the end of this section depicts the Charlotte Harbor Neighborhood District.

Goal

To enhance the village-like residential neighborhood by providing infrastructure, pedestrian and bicycle connections, and recreational opportunities this will capture the area's heritage and accommodate the needs of both residents and visitors. The Bayshore Live Oak Park will be developed as the focal point of the neighborhood.

Assets

- Attractive mature oak tree canopy
- Historic architecture
- Historic resources
- Proximity to river front
- Vacant land for fill-in development
- Proximity to main traffic corridors
- Proximity to Bayshore Park
- No height changes in residential areas; maintain 35 foot maximum

Issues

- Limited amount of housing stock
- Incomplete road network
- Lack of sidewalks in some areas
- Lack of sewers in areas
- Loss of housing stock and vegetation due to Hurricane Charley
- Areas of vegetative overgrowth to harbor homeless and/or criminal element
- Inadequate drainage of areas
- In need of water line and facility upgrade

- Drainage ditches and swales overgrown with vegetation preventing water conveyance
- Hurricane damaged trees may become a liability
- Deteriorating physical condition
- Insufficient street lighting in areas
- Substandard lot sizes
- Inadequate lot size to support parking for multi-family use
- Lack of active code enforcement
- Deteriorating conditions of housing stock
- Non-owner occupied dwellings or absentee landlords
- Perception of high crime
- Insufficient road maintenance

Opportunities

- Adopt or consider Crime Prevention Through Environmental Design (CPTED) techniques for development
- Utilize a CPTED technician for site plan review
- Identify “hot spots” on map based on crime data
- Develop a lighting plan based on “hot spots” map
- Require appropriate lighting on commercial development
- Support a “Neighborhood Watch” group
- Develop an “Appearance Code” that addresses lot mowing and underbrush maintenance, to deter crime and shelters for homeless
- Maintain a mix of income housing opportunities within the entire CRA
- Develop and construct a Pedestrian Connection to Bayshore Park along Parmley with sidewalks and streetlighting
- Promote coordination with the Charlotte County Historical Society and the Recreation and Parks Department concerning special events in the CRA
- The Charlotte Harbor Neighborhood District should receive top priority in sewer installation.
- Devise policies for financing of sewer hookup for residential units. Do follow-up with property owners to determine if there is a consensus to proceed with sewers in residential neighborhood

Bayshore Park Opportunities

- Increase safety at park
- Dedicate a safety officer or ranger for parks
- Continue acquisition of remaining Bayshore property for inclusion into Bayshore Park
- Execute a “first right of refusal” on property the County does not own
- Ensure coordination of activities and events between the CRAAC and the Recreation and Parks Department
- Consider appropriate vendors and/or concessions
- Plan a pedestrian connection between Bayshore Park and US 41 along Parmely Street.

Melbourne Residential District

The Melbourne Neighborhood District is an area measuring approximately 79 acres with predominately residential land uses and zoning classifications. One of the largest vacant parcels within the CRA is located in this area and is zoned as a Planned Development. Development Plans for this site are currently being reviewed by the County. The district is bound by Charlotte Harbor to the east, Harper Avenue to the North, Scenic Avenue to the south, and the tidal creek to the west. This district represents an area that will provide new residential opportunities that will be able to capitalize on its location to Charlotte Harbor and the activities of the Riverwalk District and Bayshore Live Oak Park. The Land Use designation found in this district include Coastal Residential and Medium-Density Residential and the zoning districts include Coastal Residential (3.5 units per acre) and Residential Multi-Family (15 units per acre). Figure 12 located at the end of this section depicts the Melbourne Residential District.

Goal

To enhance the village-like residential character of the district by providing infrastructure, sidewalks, and streetlighting. Connection to the other subdistricts will be enhanced by pedestrian connections.

Assets

- Location to Charlotte Harbor, US 41 and Riverwalk District
- Vacant property that will develop according to adopted architectural standards
- Proximity to main traffic corridors

Issues

- Lack of sidewalks
- Inadequate drainage areas
- Speed of traffic on Melbourne Street
- Lack of pedestrian and bicycle access on Melbourne

Opportunities

- Development of vacant property
- Chester Roberts Park to be developed as a community asset
- Connection to Riverwalk and the Pedestrian Promenade

Overall Phase I Opportunities

- Develop funding options to complete water, wastewater, and stormwater management systems within the entire CRA
- Removal of Exotics
- Clearing and maintenance of vegetation/debris from drainage ditches/swales and tidal creeks
- Create a recreational trails program
- Pursue funding for additional sidewalks and complete the pedestrian sidewalk and bicycle plan
- Create a funding mechanism to secure completion of the US 41 Revitalization Plan and maintenance.
- Develop a marketing plan for business recruitment and retention as well as residential and recreational opportunities
- Coordinate with the Punta Gorda CRA to investigate joint projects and opportunities.

The Remainder of the CRA (Phase II)

The remaining 384 acres outside of the aforementioned districts lie primarily north of Harper on the east side of US 41 and north of Edgewater on the west side of US 41. This area is mostly commercial or industrial in nature with some residential north of Edgewater Drive. This area has many of the same assets and issues as the designated districts, however the presence of industrial uses at the northern end of the CRA, presents some unique issues which demand attention.

Goal

To enhance the commercial and industrial corridors while preserving and improving the residential areas.

Assets

- Proximity to river front
- Proximity to main traffic corridors
- Vacant land for in-fill development
- Tax base growth potential
- Proximity to residential areas

- One of few industrial areas in the County
- Good connections to I-75 (Harborview Road & Kings Highway)

Issues

- Lack of pedestrian connectivity
- Not pedestrian friendly
- Potential industrial impacts to abutting residential area
- Illegal debris dumping
- Lack of development/redevelopment incentive
- Incomplete road network
- Lack of sidewalks
- Lack of sewers in areas
- Deteriorating physical condition
- Insufficient street lighting in areas
- Substandard lot sizes
- Lack of active code enforcement
- Deteriorating conditions of housing stock
- Non-owner occupied dwellings or absentee landlords
- Perception of high crime
- Inadequate drainage of areas
- Loss of housing stock due to Hurricane Charley
- Areas of vegetative overgrowth to harbor homeless and/or criminal element
- In need of water line and facility upgrade
- Hurricane damaged trees may become a liability
- Drainage ditches and swales overgrown with vegetation preventing water conveyance
- Insufficient road and canal maintenance

Opportunities

- The opportunities for Phase II will in many ways mirror the improvements that are planned for Phase I. It will be a continuation of infrastructure improvements, corridor beautification, and improving the quality of life and eliminating the blighted conditions identified in the area. As opportunities arise to implement programs or projects in Phase II efforts will be made to move forward as soon as

possible. Infrastructure improvements, including water, wastewater and stormwater systems, will be implemented as funding is made available. The CRA will investigate other financing opportunities to complete infrastructure improvements including long-term borrowing, special taxing districts, and grants to implement these capital projects.

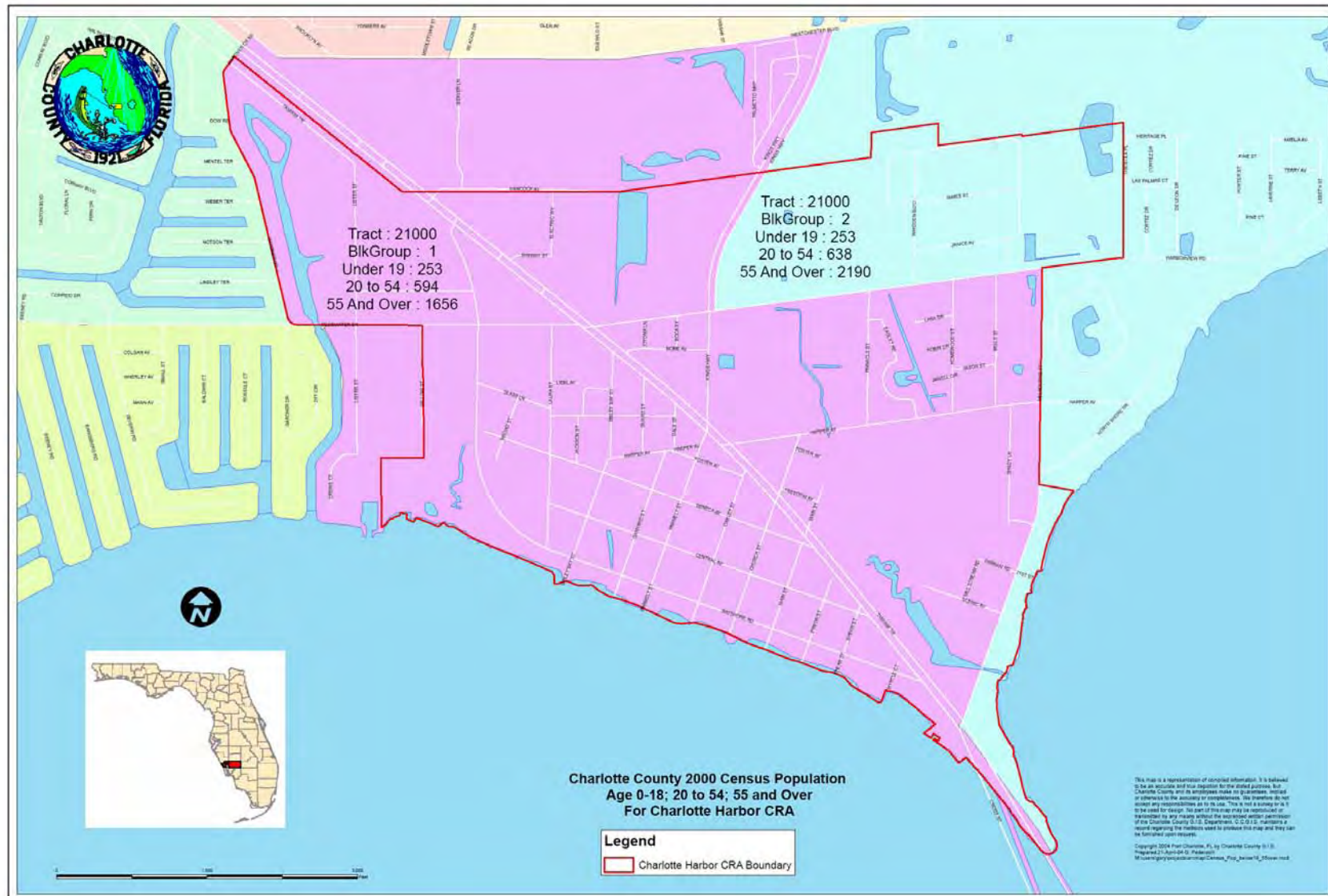


Figure 4: The Charlotte Harbor CRA consists of two Census Block Groups.

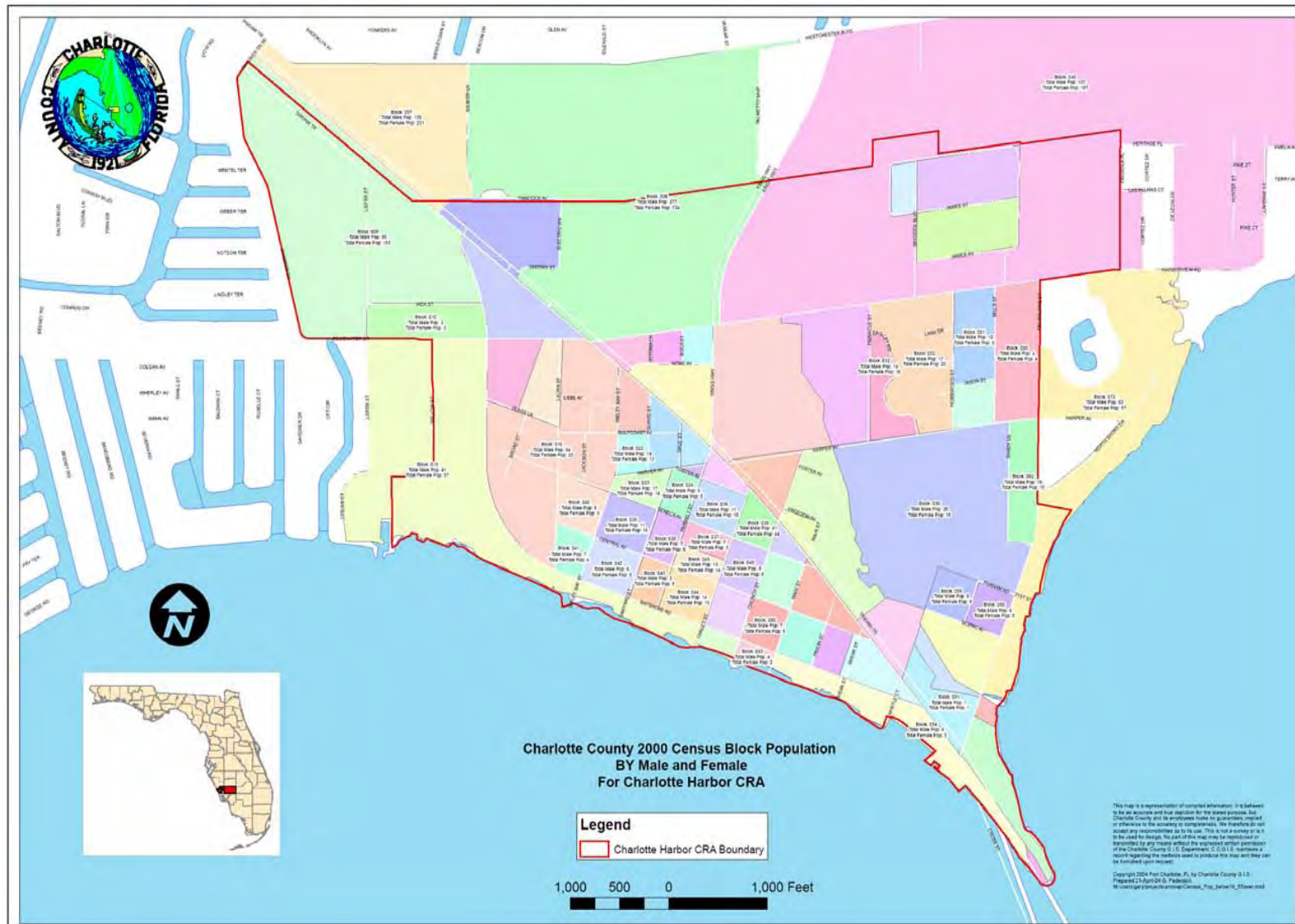


Figure 5: The Charlotte Harbor CRA Census Population by Gender.

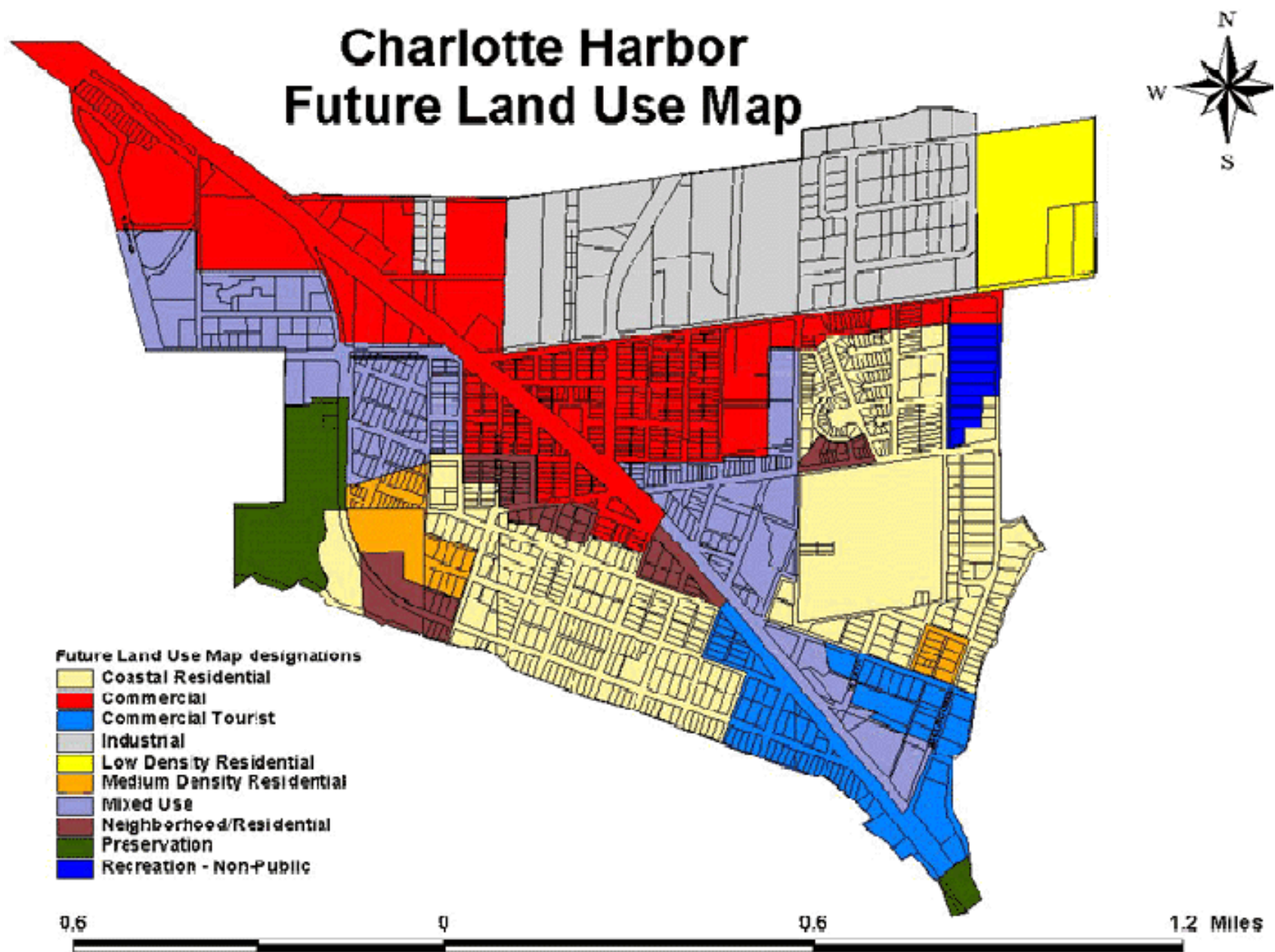


Figure 6: Charlotte Harbor Future Land Use Map

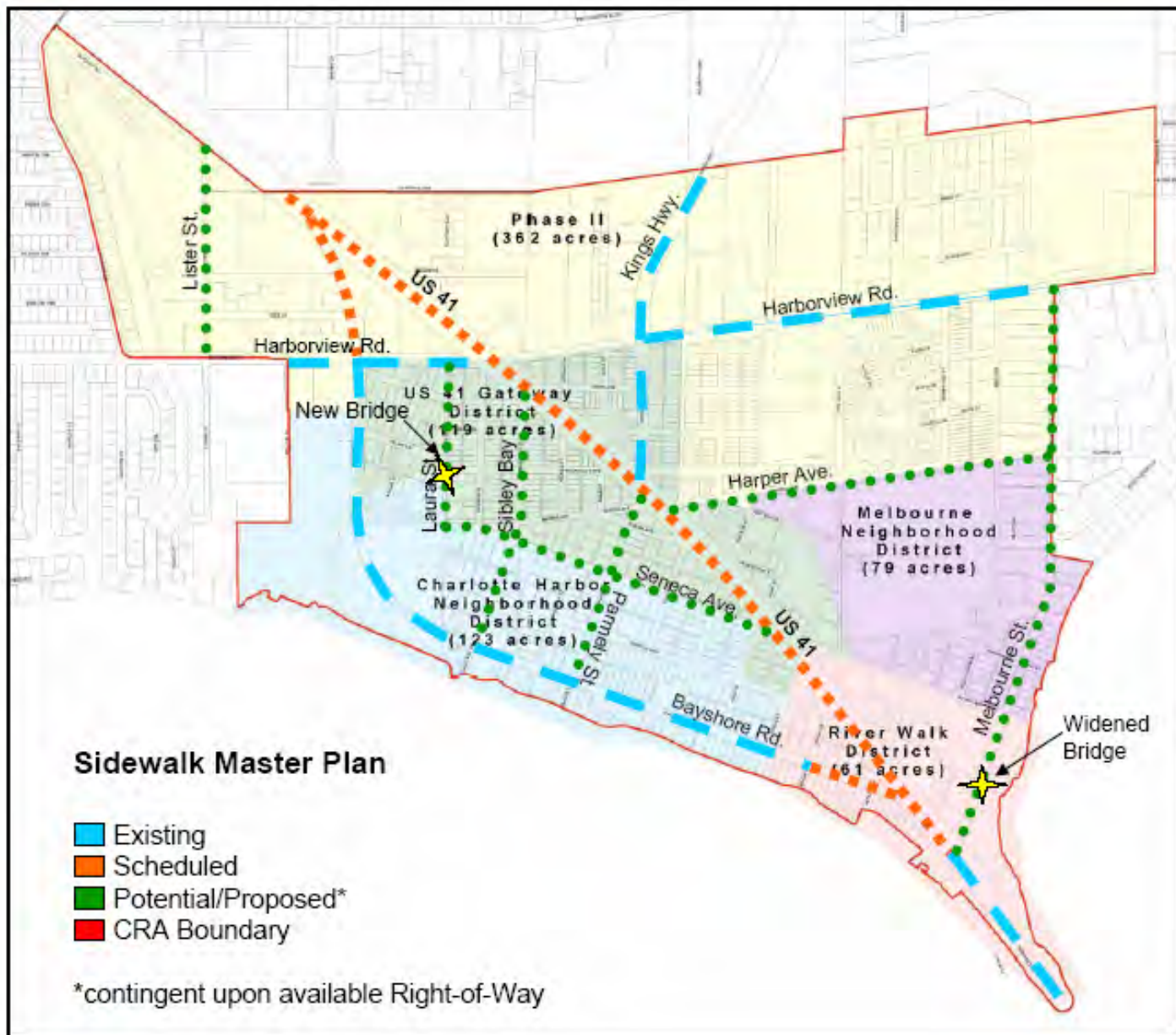


Figure 7: A Sidewalk Master plan will allow for increased pedestrian and bicycle mobility throughout the Charlotte Harbor CRA.

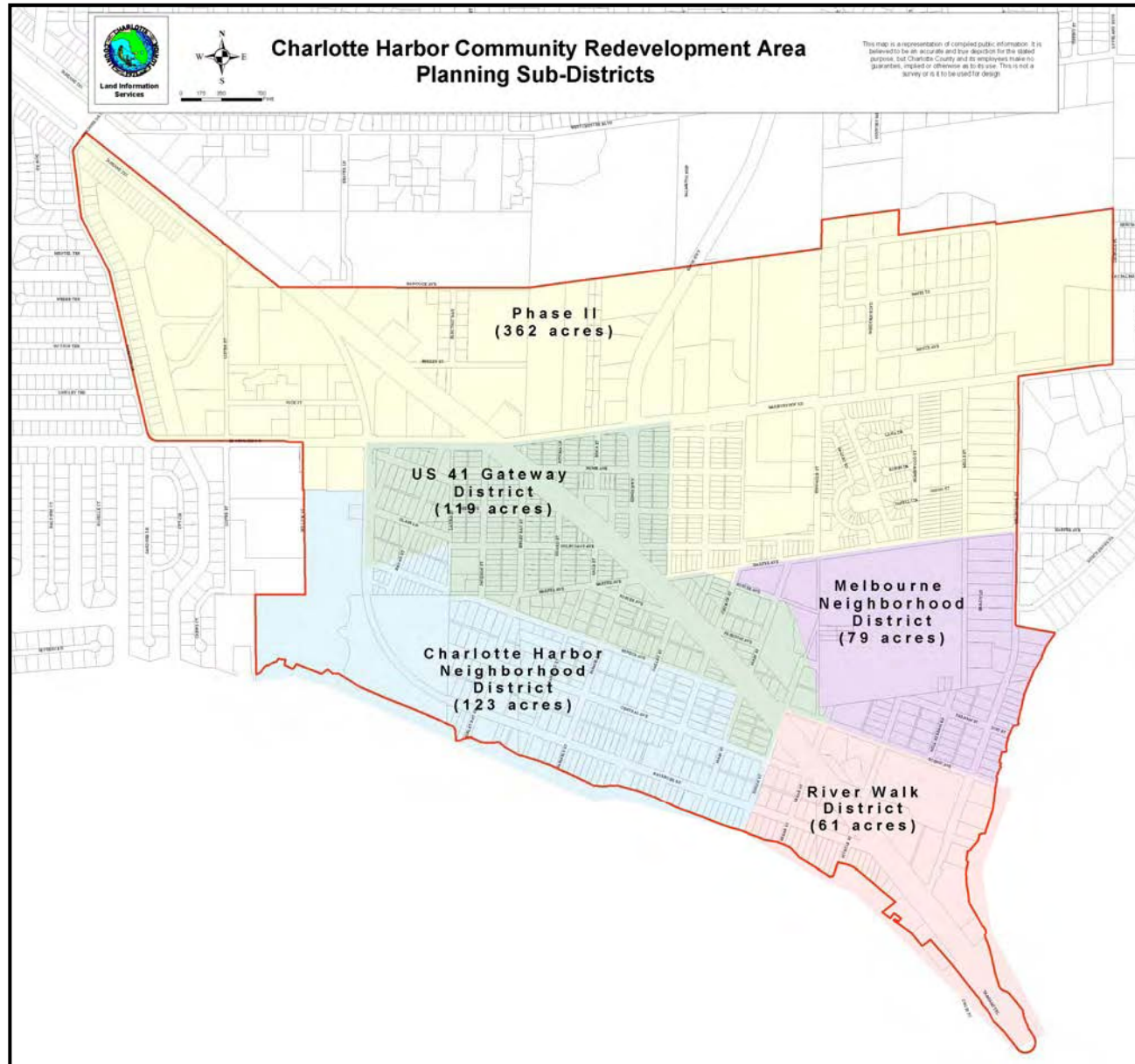


Figure 8: *The CRA Sub Districts Map*



Figure 9: *The Riverwalk District fronting the Peace River is prime for development of residential, retail, and tourist-related uses*

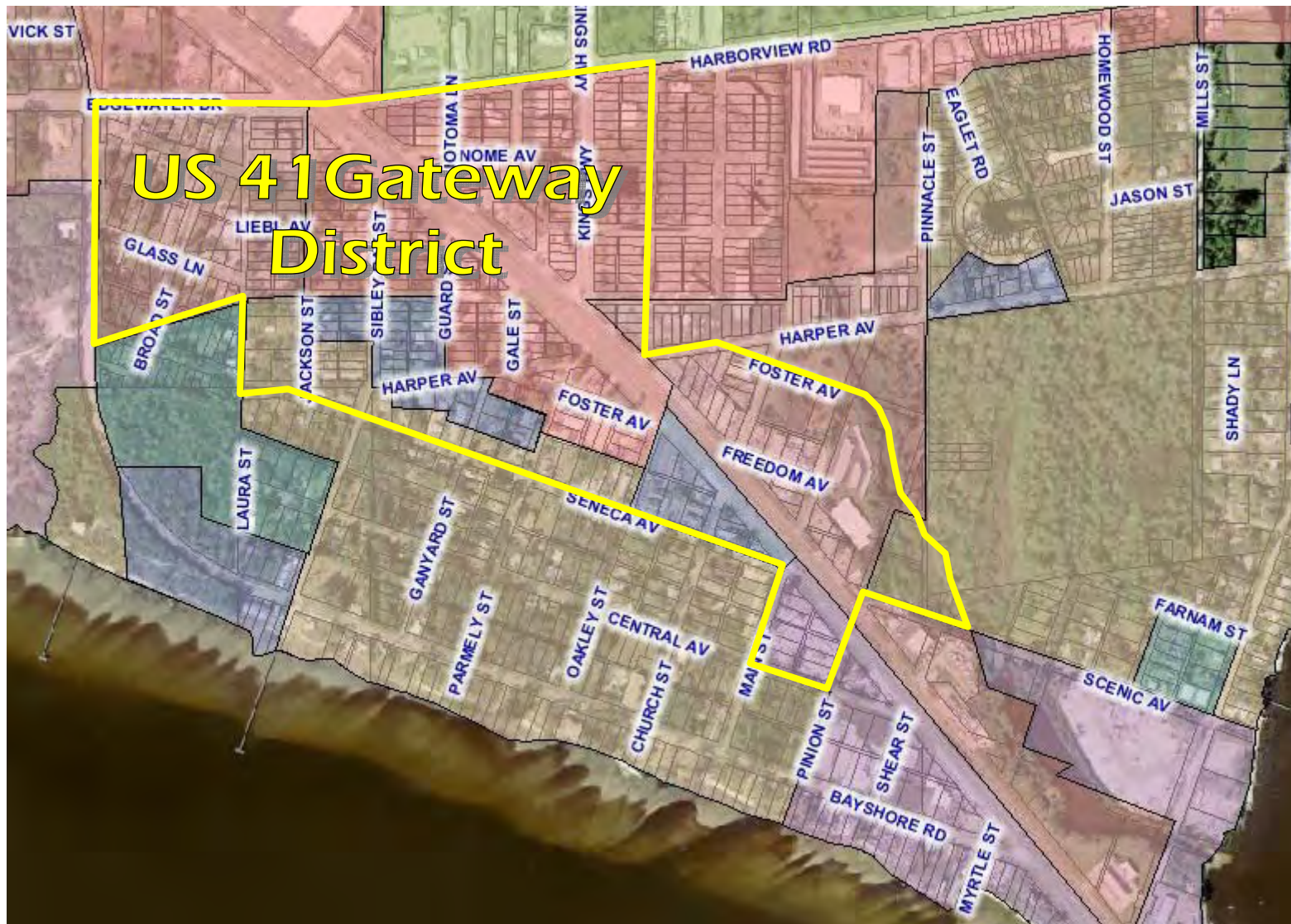


Figure 10: The US 41 Gateway District will focus on a mix of commercial uses that will provide services to local neighborhoods and the driving public.

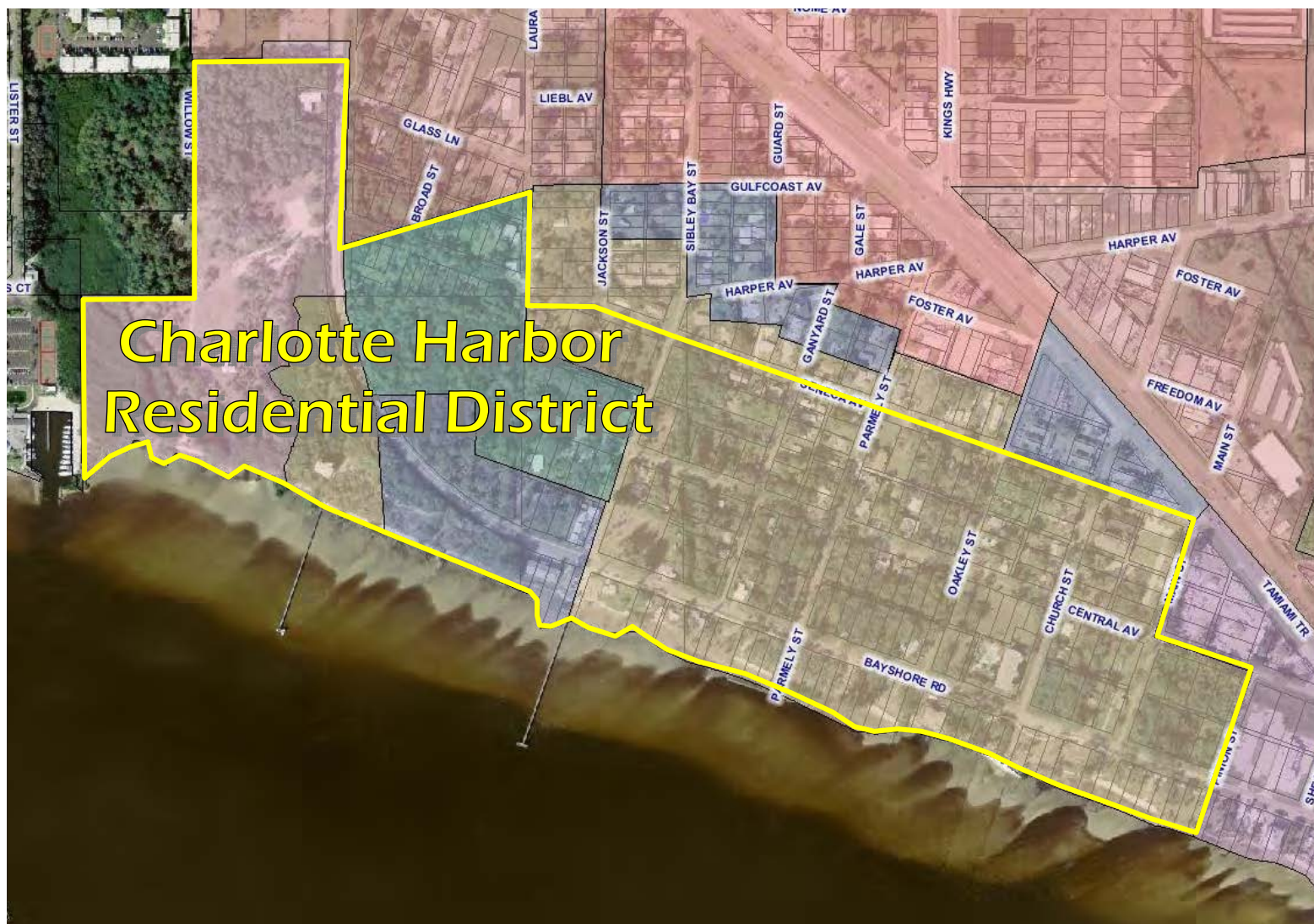


Figure 11: The Charlotte Harbor Residential District will revitalize the Charlotte Harbor area by promoting the ambiance of an old Florida waterfront community with its tree canopy.

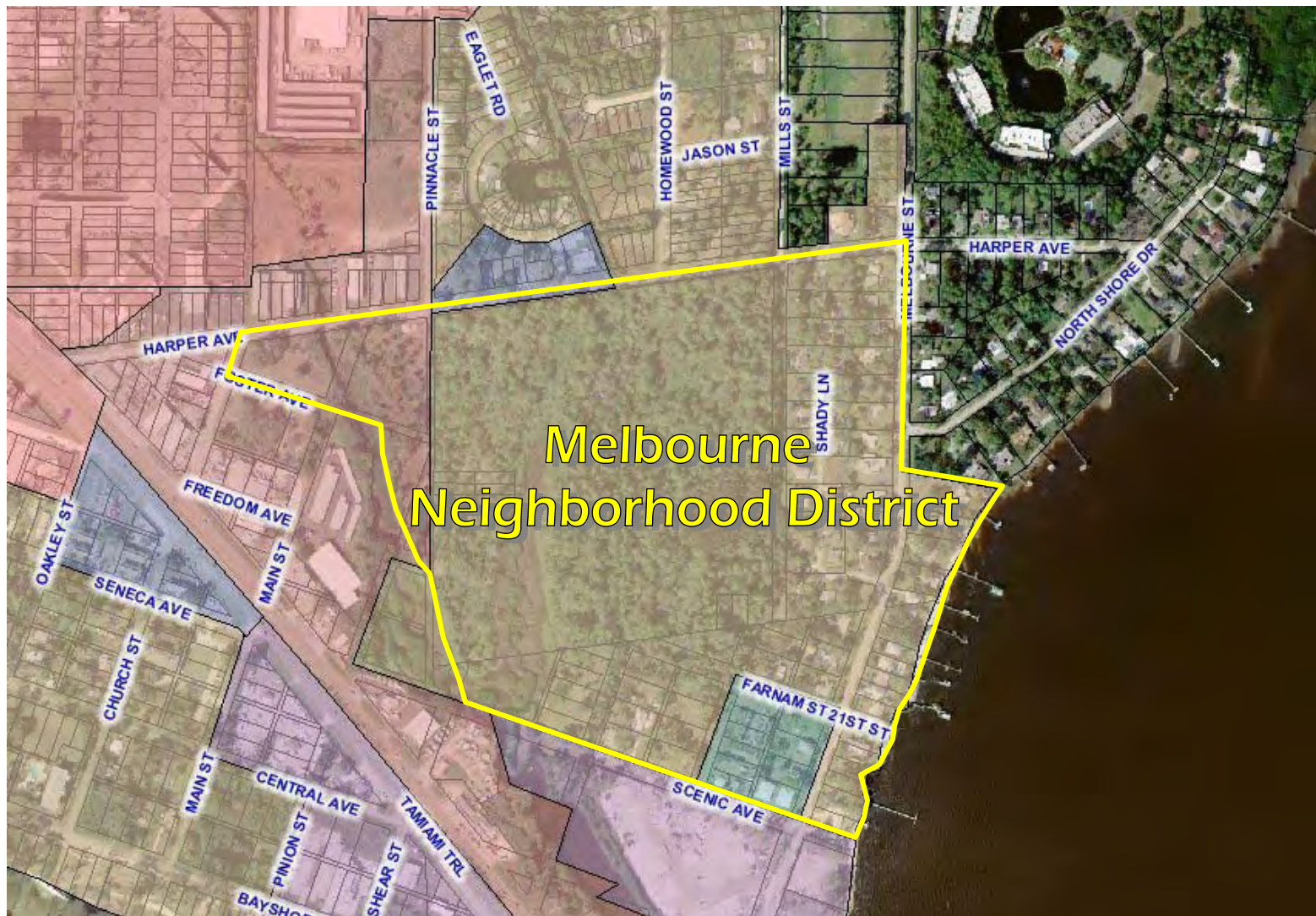


Figure 12: The Melbourne Residential District represents an area that will provide new residential opportunities that will be able to capitalize on its location to Charlotte Harbor and the activities of the Riverwalk District and Bayshore Live Oak Park

Section IV.

Vision and Conceptual Plan Elements

Following are descriptions of the various elements of the Redevelopment Plan. The Redevelopment Plan contains proposals for future land use, private sector development opportunities, and recommended public investment in capital improvements. The elements presented are in various stages of development from conceptual planning to forthcoming design completion and preparation for construction.

It should be understood that the plan will not happen all at once or perhaps not even in the sequence presented. The Redevelopment Plan is intended to provide guidance and direction for the CRA to take action to reach the goals, visions, and desired outcome for continued positive growth and development. In order to facilitate achievement of these priorities and policies, recommendations and implementation strategies are listed in Section VII of this Redevelopment Plan to serve as a guide for developers, property owners, County staff, and the Board of County Commissioners when development activity is being conceived, planned, reviewed and undertaken. Such policies can serve to supplement the policies adopted in the County's Comprehensive Plan, and can often serve better than specific land use standards by allowing for creativity and innovation in land use planning.

The elements of the Redevelopment Plan are arranged and grouped by district, beginning with the Riverwalk District, US 41 Gateway District, Charlotte Harbor Residential District, and Melbourne Neighborhood District. Discussions on activities that will take place in the remaining CRA during Phase II are then discussed.

Riverwalk District

The vision of the Riverwalk District of the CRA is to develop a mix of uses: residential, retail, and tourist-related that will provide continuous public access along Charlotte Harbor that captures the area's heritage, while becoming a pedestrian-oriented destination for residents and tourists and enhancing the connection to downtown Punta Gorda.

The Riverwalk District is not only important to the CRA, but also to Charlotte County and the surrounding Port Charlotte area as well. This district is the first impression tourists, visitors, and residents get as they head north on US 41, just having crossed the Peace River Bridge. This district has the best natural amenity available—the Peace River—which should be embraced, enhanced, and made a focal point and destination rather than a dividing line separating Port Charlotte from the City of Punta Gorda. Coordination with the Punta Gorda CRA will allow for enhanced recreational and marketing opportunities. The two CRAs can compliment each other and therefore create a synergy for the whole community to enjoy.

US 41 Pedestrian Promenade

Currently, it is not possible to complete the loop across both US 41 bridges because of the gap in public access on the Charlotte Harbor side. By building a pedestrian walkway under the US 41 northbound bridge, pedestrians could access river walks on either side of the bridge, connecting Laishley Park, Gilchrist Park, and Bayshore Live Oak Park. The county should consider acquiring waterfront easements to complete the Riverwalk east and west of the bridge. These easements can be acquired through donation/dedication, outright purchase, or through some other means, such as offering density or increase height bonuses. Figure 13, located at the end of this section, illustrates the conceptual plan for the Pedestrian Promenade.

Design Treatment to the Bridge

Add design features to the US 41 bridge that would identify it as the gateway to Charlotte Harbor and downtown Punta Gorda, as well as become a vibrant symbol of the area. Decorative lighting, so the bridge can be seen at night from Laishley Park or from Bayshore Park, banners, and special treatment can enhance the physical appearance of the bridge which will allow it to become the gateway symbol into the community.

Gateway Beautification Project

The Gateway is identified as the US 41 Bridges to 400 feet from where the north-bound bridge makes land fall. The Gateway Project includes enhanced landscaping, special pavement, banners, and an entrance feature such as a lighthouse. The Gateway Project is the first Phase of the overall US 41 Revitalization Project. Figures 14 and 15, located at the end of this section, present the conceptual plan for the Gateway Project.

Riverwalk Place

A key location within the Riverwalk District would be the area bound by US 41 to the north, Pinion Street to the west, and the riverfront to the south. Bayshore Road from US 41 to Pinion Street would be vacated to thru traffic and would be converted to a pedestrian corridor lined with shops, restaurants and other complimentary businesses provided the land was assembled and an access road to the Peace River bridge was developed. This area would be designed to become a focal point and destination for tourists and residents of Charlotte County as well as the region. Riverwalk Place captures the ambiance of a riverfront entertainment destination themed in old Florida Vernacular. With a hotel, multi-family housing, shops, offices, and a convenient multi-story parking structure hidden behind the commercial buildings, it will be a destination to live work and play. Scenic views, vistas and ample public access will allow all to enjoy the beauty and tranquility of the Peace River. Because this district is the only section of the CRA adjacent to the waterfront that allows increased building heights, up to 90 feet, incredible views would be created from the upper floors of some the tallest buildings found in Charlotte County. So as not to overwhelm the residential neighborhood to the south of the Gateway Core, the tallest buildings lining US 41 will give way to a gradual stair-step decrease in height, to no more that 35 feet for buildings that abut the residential district. Figures 16, 17 and 18, located at the end of this section, articulate the type of uses in the area.

US 41 Gateway District

The CRA includes a portion of an older commercial corridor, US 41. The CRA currently has ordinances that enact architectural guidelines and sign restrictions, which will be enforced as buildings are rebuilt and new businesses start up. To improve the appearance of the corridor, investment in landscaping, sidewalks, signage, wastewater, and stormwater management plans are needed. In addition, the CRA will need to coordinate with the private water utility franchise to improve waterlines in the area. While there is already pressure to develop the waterfront properties, the CRA should develop incentives to businesses and property owners along the corridor to expedite the cohesion of architectural styles and infrastructure improvements by offering such incentives as facade-improvement low-interest loans and/or grants, tax increment rebates, or height and/or density bonuses. The US 41 Gateway area, from the Bridge to Bayshore Drive, is the first priority along US 41, followed by Bayshore to Edgewater, then Edgewater to Gardner, the northern CRA boundary. Figures 19 and 20, located at the end of this section, present the conceptual plan for the US 41 Gateway area.

Recognizing this segment of the US 41 corridor has potential for new development, careful planning and growth management will be exercised to encourage productive and efficient development and use of public and private resources as the area develops. Important growth management priorities for this area include but are not limited to:

- Improving the management and appearance of transportation routes
- Enhance pedestrian and bicycle connections to improve alternative transportation modes
- Encouraging interconnectivity and improve accessibility
- Ensuring orderly development and the efficient provision of public services
- Ensuring compatibility of land uses
- Encouraging private investment which will increase tax base and create jobs
- Promoting mixed-use developments
- Completing infrastructure improvements

Charlotte Harbor Neighborhood District

The residential area north of Bayshore Live Oak Park requires some infrastructure improvements to facilitate private investment in the neighborhood. The county realizes that it may need to acquire some land to implement the stormwater master plan and to provide future parking. Currently some of the neighborhood still uses wells and septic tanks. To improve the quality and level of development in the neighborhood, financing options need to be developed to allow for the completion of a wastewater system and improved water lines within the district. Crime rates in the area have decreased over the years with enhanced law-enforcement patrols; however there is still a community-wide perception that the area is plagued with high crime. Further improvements including additional streetlighting and the development of a Neighborhood Watch program will re-enforce the efforts made by the Sheriff's Department and improve the image of the neighborhood. As the vacant properties are developed and the Bayshore Live Oak Park improvements are completed and recreational activities are programmed crime rate should continue to decrease. Community policing programs should be expanded to include bike patrols as activities in the area expand. The

Charlotte County Sheriff's Department prepared a report on the number and types of crimes that were reported in the Charlotte Harbor CRA during 2004/2005. A map which identifies these "areas of concern", where repeat criminal activity has occurred is located at the end of Section VIII, as Figure 25. This information can be used to develop a street lighting plan and a community policing program.

Housing Rehabilitation loans and grants may be offered to encourage property improvements and implementation of the residential design standards. The residential design standards are mandatory and reflect an "old Florida" appearance.

Bayshore Live Oak Park

Historically Bayshore Live Oak Park began with the CRA Land Acquisition Map adopted in 1994 by Ordinance 94-67. What started out as an aspiration has turned to fruition with the acquisition of these waterfront properties. The park is currently in the 60%-90% of design process and undergoing permit review by the Army Corps of Engineers (ACOE) and Southwest Florida Water Management District (SWFWMD). The 9.5-acre public park is a key component of the Charlotte Harbor Community Redevelopment project. Dufresne-Henry, Inc. which had earlier developed a conceptual park plan for the county's consideration, began work on the final design of the park layout in mid-March 2005. The theme of the park will focus on the history of the Charlotte Harbor area.

The park's master plan amenities include:

- bike trails
- canoe / kayak
- fishing
- nature trail / walking trail
- picnicking
- picnic shelter
- restrooms
- greenscapes
- stormwater management facilities

The Parks and Recreation Department has set aside funds to create the Bayshore Live Oak Park, which will include a water feature, playground, concert pavilion, picnic facilities, restrooms, and historical and environmental interpretative signage. The County continues to seek additional funding to complete the land acquisition of the designated park boundaries. The conceptual plan for the Bayshore Live Oak Park can be located at the end of this section as Figures 21 and 22.

Bayshore Lighting Plan

The Bayshore Road lighting plan, also designed by Dufresne-Henry, Inc. will provide a night time ambiance to Bayshore Park and Bayshore Road that will enhance the waterfront experience. Designed using historic period lighting the plan will not only aesthetically enhance this area but will increase safety to this formerly dimly lit area. The same lighting standard is recommended for the other roadways and the bridge so that there is consistency within the area. Banners identifying the area or specific functions or festivals may also be added to the light poles. Figure 23, located at the end of this section, depicts the conceptual plan for the Bayshore Lighting Plan.

Melbourne Neighborhood District

The residential district west of US 41 requires infrastructure improvements including water, wastewater, and stormwater management. Many of the improvements will be accomplished as new developments are built because of the larger tracks of land available for development. The CRA will work with this neighborhood to provide financing and grant opportunities to complete the infrastructure improvements identified.

Melbourne Street provides direct access to Harper Avenue which leads to I-75. Because of this connection, the neighborhood is impacted by vehicular traffic that at times exceeds posted speed limits. The goal of preserving and enhancing this neighborhood is centered on improving the traffic conditions, by encouraging traffic-calming devices and improving pedestrian and bicycle access.

Housing Rehabilitation loans or grants may be developed for this area to improve or maintain the housing stock while implementing the residential design standards.



Figure 13: Conceptual drawing of the US 41 Bridge Pedestrian way in the Riverwalk District by Wilson –Miller, Inc.



Figure 14: Conceptual drawing of the Gateway Project in the Riverwalk District by Wilson –Miller, Inc.

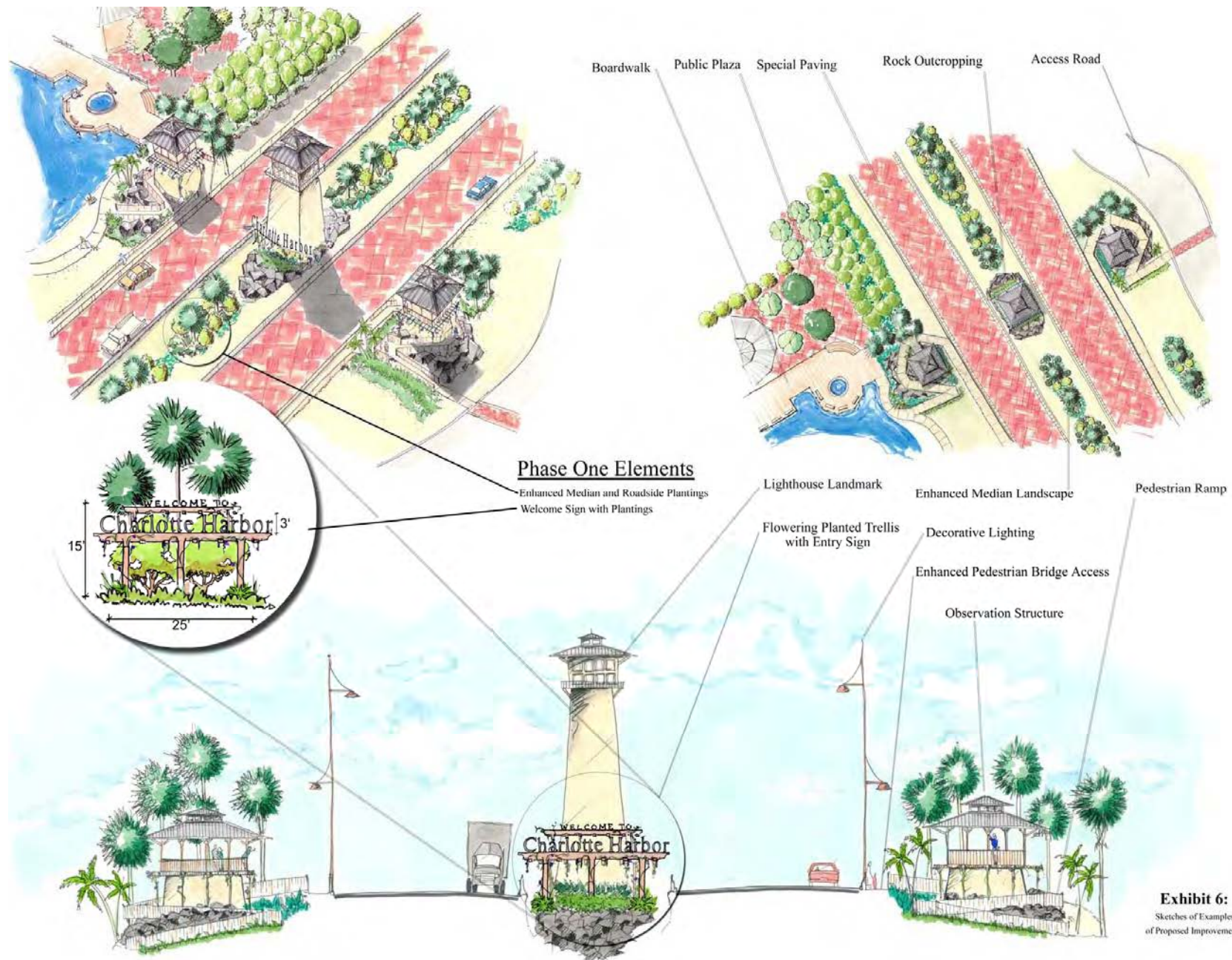


Figure 15: Conceptual drawing of the Gateway Project entrance feature in the Riverwalk District by Wilson –Miller, Inc.



Figure 16: Riverwalk Concept plan designed by Atelier Design Studio, Inc ., the Key to the structures and uses can be found in Figure 14


- 
- A Mixed Use**
- Row Housing 2-3 Stories (Pinion Street and Bayshore Road)
 - Retail/Office 2-3 Stories (Central Avenue and Shear Street)
 - Parking Garage
 - Residential/Hotel Tower (above parking garage)
- B Mixed Use**
- Office 3 Stories (US 41)
 - Retail/Office 3 Stories (Shear St. & Bayshore Rd)
 - Parking Garage
 - Office/Residential Tower (above parking garage)
- C Mixed Use**
- Retail/Office 3 Stories (Bayshore Road)
 - Parking Garage (including Hotel)
 - Marina
 - Restaurants with valet parking (along Riverwalk)
 - Residential Tower (above parking garage)
 - Riverwalk
- D Hotel**
- Restaurants (along Riverwalk)
 - Riverwalk
 - Pool
 - Riverfront Beach
- E Restaurants**
- Valet Parking
 - Riverwalk
 - Marina
- F Urban Street**
- Shade trees in center medium
 - Palms adjacent to building
 - 10' Sidewalk
 - One travel lane with parallel parking
 - 80' building to building
 - Underground Utilities

Figure 17: Key to the uses found in the Riverwalk Place conceptual Plan.

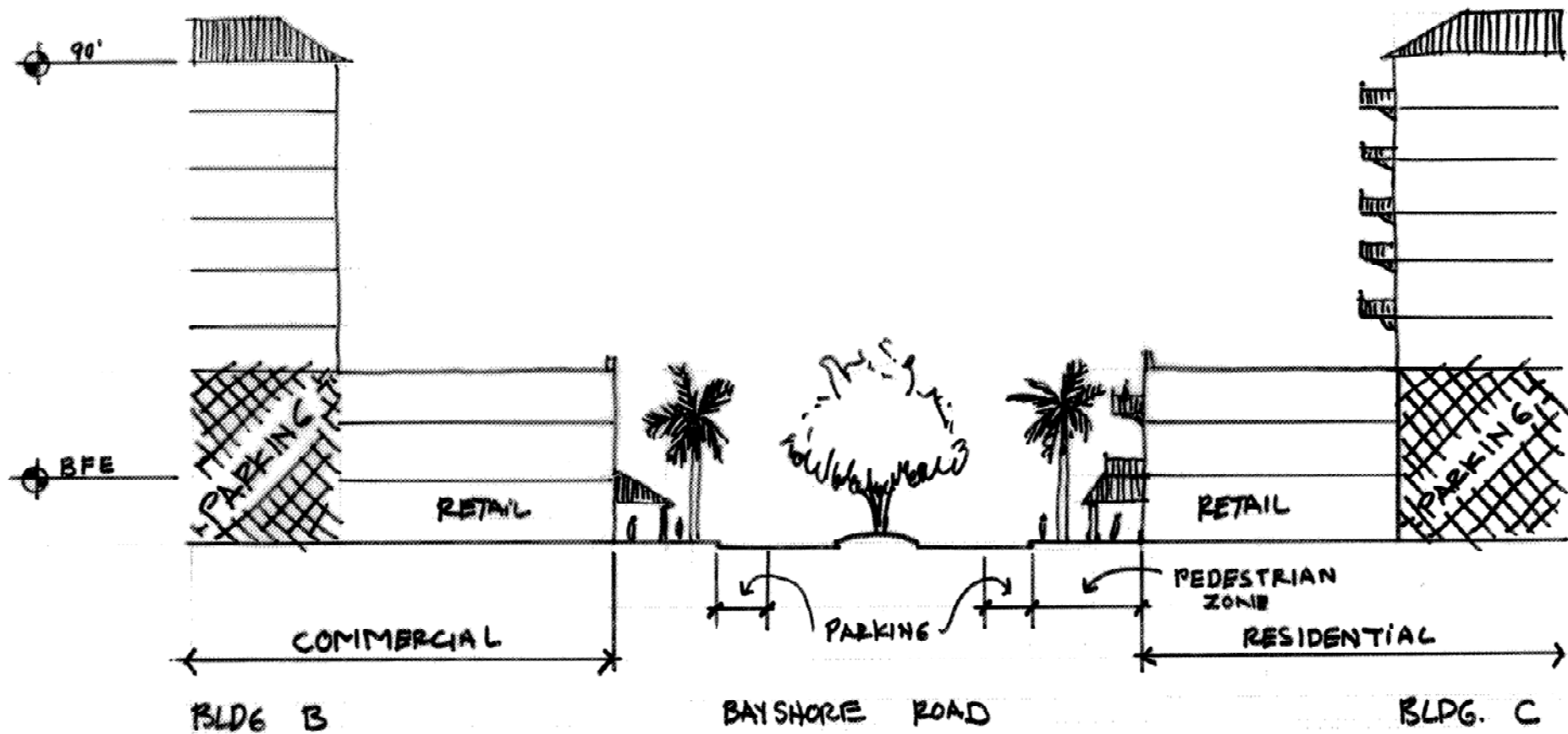


Figure 18: A Section of Bayshore Road between Buildings B and C facing east toward the River.

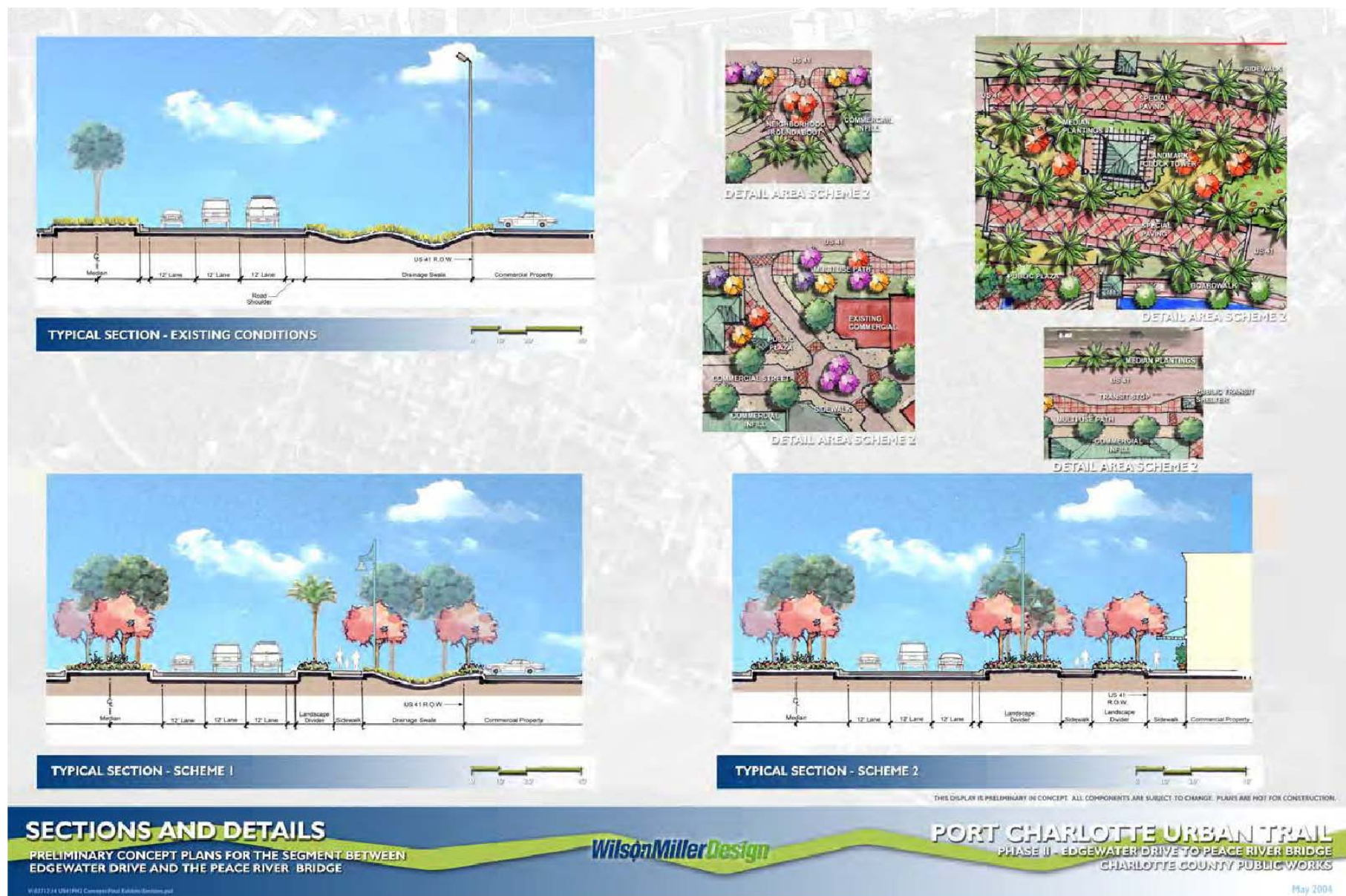


Figure 20: Some elevation sketches of the conceptual plan for the US 41 corridor revitalization designed by Wilson-Miller

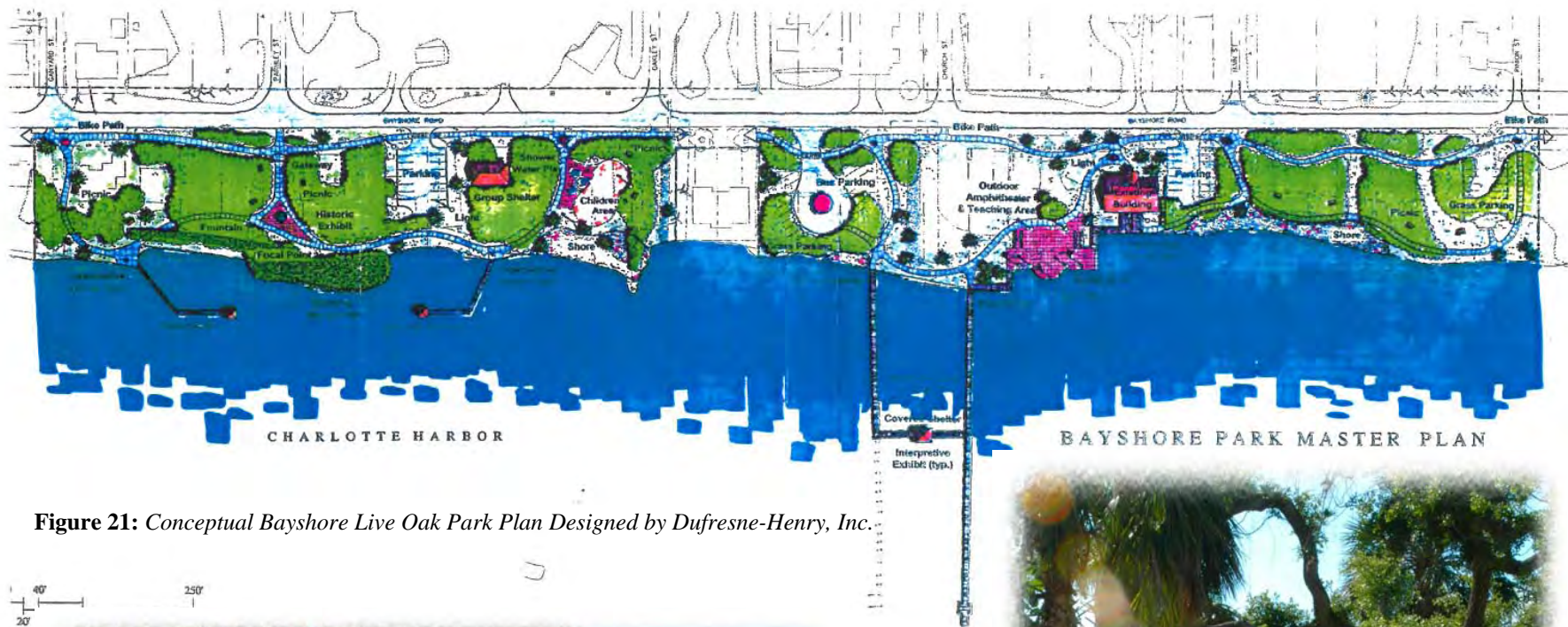


Figure 21: Conceptual Bayshore Live Oak Park Plan Designed by Dufresne-Henry, Inc.





EXISTING CONDITION



OPPORTUNITY FOR VILLAGE CENTER

- PROMOTES NEIGHBORHOOD PEDESTRIAN USE
- INTERCONNECTED STREET NETWORK
- ADDS TO PARK USE AND ACTIVITY
- MIXED USE

GATEWAY TO PARK

- CREATES CENTRAL FEATURE
- DEFINES INTERSECTION
- FRAMES VIEWS TO WATERFRONT

ENHANCED LIGHTING AND LANDSCAPE

- PROMOTES COMMUNITY IDENTITY
- NEIGHBORHOOD SCALE
- OLD FLORIDA THEME

ROUNDABOUT

- MINIMIZES 'CUT-THRU' TRAFFIC
- SAFELY INTEGRATES PEDESTRIAN AND AUTO TRAFFIC
- TRAFFIC CALMING



PARMELEY AND BAYSHORE INTERSECTION

Figure 22: Conceptual design of the Parmley/Bayshore intersection designed by Wilson-Miller, Inc.

Bayshore Road

Proposed Area for Sidewalk Lighting

coinciding with
Bayshore Live Oak Park

Approx. 70 Fixtures
if 80' spacing and
12' mounting height



Park Lighting Standard
(available in various heights)

Charlotte County Parks Recreation and Cultural Resources Dept.

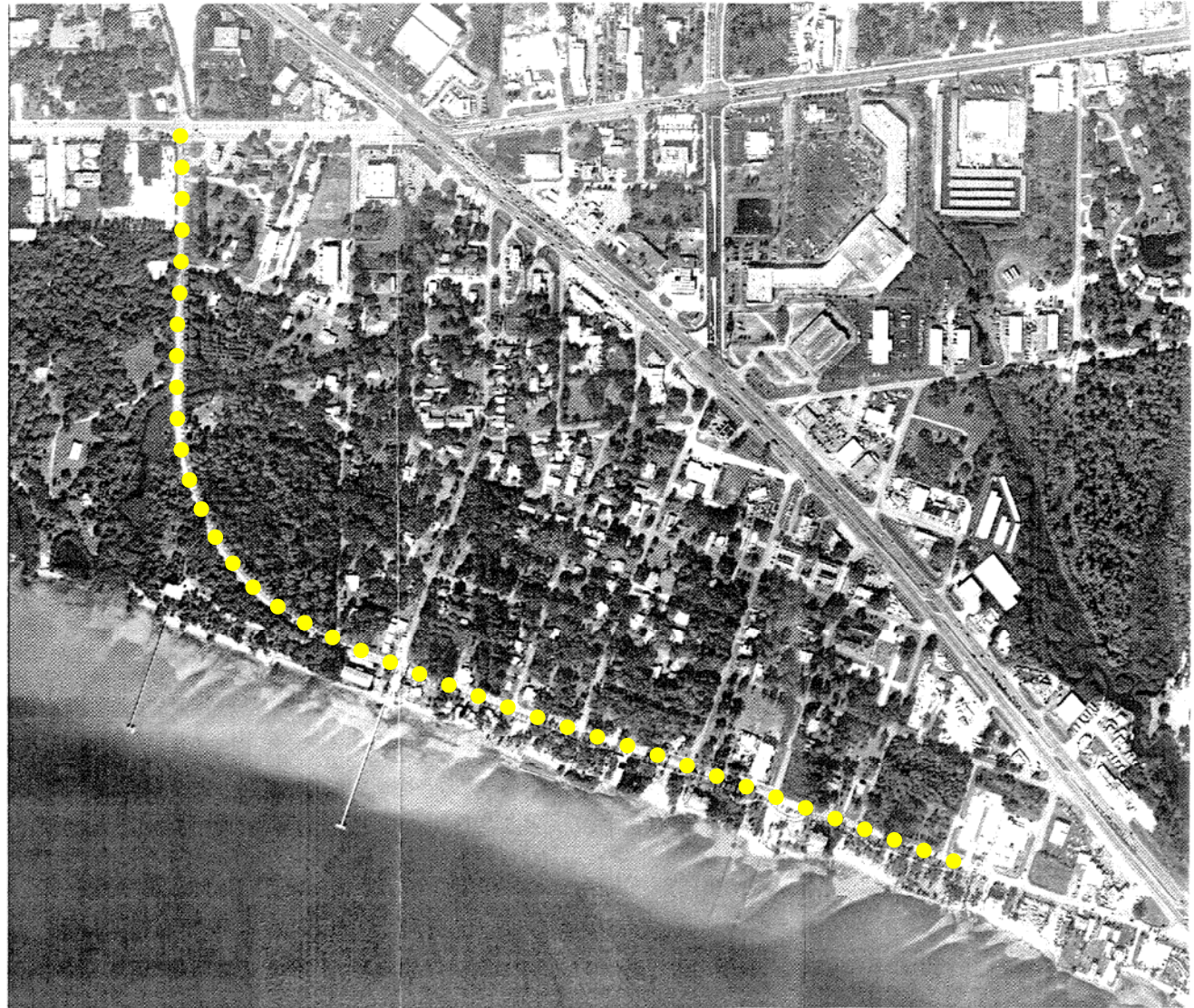


Figure 23: The yellow dots represent lighting fixtures in the Bayshore Road lighting plan designed by Dufresne-Henry, Inc.

Section V. Capital Projects

The proposed Charlotte Harbor Community Redevelopment Plan contains several major projects consisting of public, private, and joint public/private efforts that will take at least five years for completion. It is important that the County incorporates a sound project implementation strategy when identifying priorities. This strategy will ensure the most effective results in terms of addressing the community's needs while stimulating private sector activity to obtain favorable return on the public sector's financial investment.

The table below identifies the Capital Projects approved by the County in the FY 2006 Capital Improvements Plan adopted by the Board of County Commissioners in September 2005.

Charlotte County Capital Improvements Program 2006; Adopted September 29, 2005			
Project Title	Total FY 06	FY 07-FY 11	Project Total
Bayshore Live Oak Park	786	148	12,180
Bayshore Road Street Lights	351	-	351
Harborview Corridor – Phase I (ROW Acquisition)	277	-	5,414
Landscaping – Edgewater Drive (Harbor to Bayshore)	26 (FY 05)	-	26

Table 1 on page 50 identifies the capital projects anticipated to be needed in order to remedy the blighted conditions in the community redevelopment area. The projects identified in Phase I – Years 1-5, have a variety of funding sources that will be pursued to achieve maximum leverage of public and private investment to achieve the goals of this plan. Section VI of the Redevelopment Plan offers many opportunities and options to further finance the projects found within the Redevelopment Plan. Cost Estimates are based on assigned costs as identified in December 2005. Estimates may increase if material and land costs continue to rise as experienced in the past year.

The Table 2 on page 53 includes Program Activities which are not necessarily Capital Projects, but eligible activities for tax increment revenues. These activities will also assist in remedying the blighted conditions identified in this redevelopment area.

These projects are expected to be completed within the Phase I time frame (1-5 years) provided funding is secured and permitting is approved. These projects are planned in keeping with and meeting the goals and objectives of the CRA Redevelopment Plan and Vision.

Table 1: Capitol Projects Phase I – Years 1 through 5

Project		Estimated Cost	Funding Source	Year
Charlotte Harbor CRA				
	CRA Redevelopment Plan	\$24,000	TIF & DCA Grant (\$10K each)	2005
	Sign-Incentive Program**	\$36,000+	2004 TIF + General Revenues	2005
	Façade Grant Program	\$150,000	CDBG Grant	2005-2006
	Wastewater Engineering Study	\$450,000	CDBG Grant	2006
	Water Enhancement Engineering Study	\$450,000	CDBG Grant	2006
	Stormwater Management Master Plan – Phase I	\$250,000	General Revenue, SWFWMD Grant, TIF	2006
	Stormwater Management Plan – Phase II	\$250,000	General Revenue, SWFWMD Grant, TIF	2007
	Signage/Banners	\$20,000	TIF, Developer Contribution	2007
	Roadway Paving and Maintenance	\$1,000,000	Greater Port Charlotte MSBU, TIF, Developer Contribution	2007
	Stormwater Master Plan Implementation	\$10,000,000	Potential grant from SWFWMD with 50% match from County, TIF, Developer Contribution	2010
	Water Line Upgrades	\$2,000,000	Grants, Developer Contribution, TIF	2008
	Wastewater System Construction	\$2,000,000	Grants, Developer Contribution, TIF,	2009
	Canal Improvements and Maintenance	\$300,000	Special taxing units, grants, TIF	2008
	Completion of Sidewalk Plan	\$3,645,000	Grants, TIF	2010
	Welcome/Entrance Signs (not including the Gateway Sign)	\$160,000	TIF, Grants	2007
	Landscape Enhancement Program	\$500,000	TIF, Grants, Developer Contribution	On-going
TOTAL		\$21,235,000+		

Project		Estimated Cost	Funding Source	Year
Riverwalk District				
	Construction of Riverwalk	\$5,000,000	Developer Contribution, TIF, Special Taxing Districts	2010
	Pedestrian Promenade	\$2,550,000	Grants, TIF, Developer Contribution, Special Taxing Districts	2010
	Design Treatment to the Bridge	\$600,000	General Revenue, TIF, developer contribution	2007
	Gateway Project – Phase I	\$295,000	FDOT Grant and TIF	2006
	Gateway Project – Phase II	\$400,000	Grants, TIF, Developer Contribution	2009
	Parking Facilities	TBD	TIF, Developer Contribution	2010
	US 41 Revitalization and Beautification	\$1,000,000	Grants, TIF Developer Contribution	2010
TOTAL		\$9,795,000		
US 41 Gateway District				
	US 41 Beautification Plan - Feasibility Study	\$35,100	General Revenue	2005
	US 41 Phase I - Planning/Engineering /Permitting/Construction	\$2,000,000	Future Sales Tax Referendum, TIF, Grants, Developer Contribution	2008
	US 41 Corridor Sidewalks/Curbing/Landscaping	\$8,000,000	Future Sales Tax Referendum, TIF, grants, developer contribution	2009
	Land Acquisition	\$1,000,000	TIF, grants, Developer Contribution	2011
	Parking Facilities	TBD	TIF, Developer Contribution	2011
TOTAL		\$11,035,100		
Charlotte Harbor Neighborhood District				
	Community Policing	\$15,000	TIF, Grants	2008
	Neighborhood Revitalization	\$500,000	TIF, Grants	2007
	Land acquisition	\$1,000,000	TIF, Grants	2010
	Bayshore Streetlights Design and Installation	\$330,000	County-wide lighting MSTU	2006/2007
	Parmley Street Enhancement (streetlights, banners, etc.)	\$200,000	TIF, Grants	2010

	Implement Appearance Code – Additional Code Enforcement	\$40,000	TIF	2007
	Housing Rehabilitation and Infrastructure Fees	\$400,000	CDBG Grant, TIF	2007
TOTAL		\$2,485,000		
Melbourne Neighborhood District				
	Housing Rehabilitation and Infrastructure Fees	\$200,000	CDBG Grants, TIF	2008
	Melbourne Street Improvements	\$600,000	TIF, Grants, Developer Contribution	2009
TOTAL		\$800,000		
GRAND TOTAL		\$46,455,000		

Programs

To assure that the vision of the area is realized additional programs should be developed that will provide incentives to developers and market and promote the area. The following programs will be considered in Phase I of the implementation of this plan.

Table 2: Programs for Phase I – Years 1 through 5

Program	Estimated Cost	Funding Source	Year
Infrastructure Incentive Program	Contingent on Development and TIF generated	TIF generated from specific project	2006 with smaller allocations and redevelopment occurs
Marketing Plan and Materials	\$50,000	TIF	2008
Impact Fee Assistance to targeted companies	\$100,000	TIF	2009
Expanded Façade and Sign Grant Program	\$500,000	TIF, grants	2010
Plan Updates and Ordinances as necessary	County staff and Consultants (To Be Determined)	TIF, General Fund	On-going
Code Appearance Enforcement	\$40,000	TIF	2007
Develop a Regulatory Information Booklet	Staff/volunteer time	NA	2006
Providing Alternative transportation services for special events	\$100,000	TIF, grants	2008-2011
Community Policing	\$75,000	TIF, grants	2007
TOTAL \$865,000+			

Table 3: Capitol Projects Phase II – Years 6 through 10

Project		Estimated Cost	Funding Source	Year
Edgewater Drive/Harborview Road Corridor				
	Roadway Beautification (\$500,000 PER MILE)	\$790,000	TIF, grants, developer contribution	2016
	Improved pedestrian accessibility	\$300,000	TIF, grants, developer contribution	2016
	Land Acquisition	\$1,000,000	TIF, grants, developer contribution	2016
Industrial Park				
	Façade Grant Programs	\$250,000	TIF, grants,	2013
	Infrastructure Improvements	\$1,000,000	TIF, grants, developer contribution	2015
	Impact Fee Grant	\$500,000	TIF, grants,	2012
	Landscape Grants	\$500,000	TIF, grants,	2012
	Sign Grants	\$100,000	TIF, grants,	2013
US 41 Corridor District (Edgewater Road to northern CRA boundary)				
	US 41 Revitalization Project (\$1 MILLION PER MILE)	\$830,000	TIF, grants, developer contribution	2014
	Façade Grants	\$500,000	TIF, grants,	2012
	Sign Grants	\$100,000	TIF, grants,	2012
	Impact Fee Grants	\$500,000	TIF, grants,	2012
	TOTAL	\$6,370,000		

Table 4: Capitol Projects Phase III – Years 11 through 20

Project		Estimated Cost	Funding Source	Year
TO BE DETERMINED				

Table 5: Capitol Projects Phase IV– Years 21 through 30

Project		Estimated Cost	Funding Source	Year
TO BE DETERMINED				

Section VI. Project Funding

Tax Increment Financing

Tax Increment Financing (TIF) is a unique tool available to cities and counties for the redevelopment of urban areas. It is used to leverage public funds to promote private sector activity. Tax increment financing was originally developed over 30 years ago as a method to meet the local match requirements of federal grant programs. With the reduction in federal funds available for local projects, tax increment financing is standing ever more on its own as a method to finance local redevelopment.

In Florida, tax increment financing is derived from the community Redevelopment Act of 1969, which is codified as Part III, Chapter 163 of the Florida statutes. This act provided for a combination of public and private redevelopment efforts, but did not authorize the use of tax increment financing. The Act was amended in 1977 to allow tax increment financing. By Statute, municipalities must go through a number of steps to establish a redevelopment area and implement a tax increment district.

Upon approval of the governing body, a Trust Fund for the Community Redevelopment Area may be established. The revenues for the Trust fund are obtained by allocating the increase in taxable assessed value above the “frozen” tax base. The Charlotte Harbor CRA Trust Fund was established in 2003 and established the “frozen” tax base to be the 2003 certified tax roll. Thereafter, certain tax revenues due to increases in property value in excess of the base year value are dedicated and can only be spent in the redevelopment area. Taxing entities, which contribute to the tax increment, continue to receive property tax revenues based on frozen value and are available for general government purposes. Any funds received from a tax increment financing area must be used for specific redevelopment purposes outlined in the statute, and not for general government purposes.

According to Florida Statute 163.387(6), funds in the Redevelopment Trust Fund can be expended for the following purposes:

- Administrative and overhead expenses;
- Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of such expenses incurred before the redevelopment plan is adopted;
- To acquire property;
- To prepare land for redevelopment, including clearance, relocation of owners and occupants, and the site preparation of redevelopment area property;
- To provide public facilities/utilities;
- To sell property;
- To acquire air rights; or

- To pay all expenses connected with agency bonds or notes, or other forms of indebtedness, including payment of principal and interest on CRA loans.

However, Florida law specifically prohibits the expenditure of tax increment revenue for:

- Construction of public administrative buildings unless agreed to by each taxing authority;
- Public improvements if such capital improvement projects are normally financed through user fees or if the projects would be done within 3 years of the approval of the community redevelopment plan pursuant to a preexisting capital improvement plan; and
- Government operating expenses unrelated to planning and carrying out community redevelopment plans.

Tax increment revenue is typically the major source of funding for redevelopment projects under the State of Florida Community Redevelopment Act.

Tax Increment Projections

On December 9, 2003 the BCC adopted Ordinance #2003-078, establishing the Charlotte Harbor Community Redevelopment Area Trust Fund, which was an important turning point for the Charlotte Harbor CRA in that it allows them to use tax increment or the increase in property values generated within the CRA to implement redevelopment activities. The 2003 base year taxable value of properties located within the boundaries of the CRA was \$122,374,571. This increase allowed for the first year's increment of \$50,731 in revenue.

Despite the impacts of Hurricane Charley in 2004, property values continued to increase in the CRA and a tax increment revenue of approximately \$80,000 is budgeted in 2005.

The CRA can obtain interim financing through a bond anticipation note, commercial loan or line of credit based on projected revenues. Several near term projects will not only fulfill many of the plan's objectives, but will also have a substantial positive impact on the tax base and should be pursued immediately. These funds combined with other possible funding sources identified in this plan should enable the CRA to embark on an aggressive public involvement program that will serve as a catalyst for private sector investment. A complete summary of the TIF projections for 2006-2015 can be found in Appendix C. Revenue projections are based on a number of assumptions that are realistic yet conservative given the market conditions for the area.

Other Funding Sources

In addition to TIF there are other sources of potential financing for some of the projects proposed for the Charlotte Harbor CRA. One such source is the Community Development Block Grant (CDBG) program.

Congress amended the Housing and Community Development Act of 1974 (HCD Act) in 1981 to give each State the opportunity to administer CDBG funds for non-entitlement areas. Non-entitlement areas include those units of general local government which do not receive CDBG funds directly from HUD as part of the entitlement program. Non-entitlement areas are counties with populations of less than 200,000. As of 2005, Charlotte County is not eligible for entitlement funds since the County's population is approximately 165,000. Charlotte County must compete with other non-entitlement communities in the State for CDBG funds under the Small Cities program. Grants are available for housing, neighborhood revitalization, and economic development with a current grant award of \$750,000.

The primary statutory objective of the CDBG program is to develop viable communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low- and moderate-income. The State must ensure that at least 70 percent of its CDBG grant funds are used for activities that benefit low- and moderate-income persons over a one-, two-, or three-year time period selected by the State. This general objective is achieved by granting "maximum feasible priority" to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. Under unique circumstances, States may also use their funds to meet urgent community development needs. A need is considered urgent if it poses a serious and immediate threat to the health or welfare of the community and has arisen in the past 18 months.

Communities receiving CDBG funds from the State may use the funds for many kinds of community development activities including, but not limited to:

- acquisition of property for public purposes;
- construction or reconstruction of streets, water and sewer facilities, neighborhood centers, recreation facilities, and other public works;
- demolition;
- rehabilitation of public and private buildings;
- public services;
- planning activities;
- assistance to nonprofit entities for community development activities; and
- assistance to private, for profit entities to carry out economic development activities (including assistance to micro-enterprises).

CDBG Hurricane Recovery Funds

Charlotte County received CDBG funds earmarked for Hurricane Recovery efforts. A portion of these funds have been targeted for the Charlotte Harbor CRA.

Section 108 Loan Guarantee Program (Section 108 Program)

CDBG non-entitlement communities may apply, provided that their State agrees to pledge the CDBG funds necessary to secure the loan. Non-entitlement applicants may receive their loan guarantee directly or designate another eligible public entity such as an industrial development authority, to receive it and carry out the Section 108 assisted project.

Section 108, the loan guarantee provision of the Community Development Block Grant program, is one of the most potent and important public investment tools that HUD offers to local governments. It allows them to transform a small portion of their CDBG funds into federally guaranteed loans large enough to pursue physical and economic revitalization projects that can renew entire neighborhoods. Such public investment is often needed to inspire private economic activity, providing the initial resources or simply the confidence that private firms and individuals may need to invest in distressed areas. Section 108 loans are not risk-free, however; local governments borrowing funds guaranteed by Section 108 must pledge their current and future CDBG allocations to cover the loan amount as security for the loan.

Florida Department of Transportation Highway Beautification Grants

These grants are available for landscape and irrigation improvements along FDOT roadways such as US 41. The grant may be submitted for in each project phase and requires “construction ready” landscape and irrigation plans as an integral part.

State of Florida Historic Preservation Grants

These funds may be obtained for rehabilitating designated historic structures or development programs related to historic preservation activities, such as installing plaques or the development and publication of informational or educational brochures.

Economic Development Administration

This Federal agency provides grants to fund public works projects. This grant/loan program assists distressed communities to attract new industries, encourages business expansions and primarily focuses on generating long-term, private sector employment opportunities. As funding sources and project phases solidify, this program should be reviewed as a funding source to be matched with private funds.

Small Business Administration

Most SBA financing is done under the 7-A program, which focuses on working capital needs. Under this program, banks loan capital to small businesses and the federal government guarantees 90% of the loan amount. The loans usually extend for 5 to 7 years.

The other SBA program is known as "SBA 503". This program provides existing viable small businesses with long-term, below market rate financing for the acquisition of land and building, machinery and equipment and construction and renovation which results in job creation. The CRA Agency, the County Commission, and other local interest groups should promote educational understanding of the opportunity that is available under these programs. The programs are administered through the Florida Department of Commerce which is willing to provide on-site technical training and educational presentations.

Special Assessment District

The area intended for improvements can be established as a special assessment district where the individuals receiving benefit from the improvements will be assessed for their share of the improvements. This is usually done on a "front-foot" basis but can be done on an area-wide basis. Bonds can be issued using the revenues to be generated by the assessment district as security. The revenues raised are dependent upon the size of the assessment and project. Further analysis of this financing option will need to be included in future updates to this plan.

Local Contributions

Local organizations and non-profits can raise funds for specific projects identified in this plan. Funds raised specifically for needs identified in this plan by local organizations or non-profits may be deposited into specific project line items in the Redevelopment Trust Fund. Funds may be paid into the fund to implement the redevelopment goals such as landscaping improvements or maintenance.

Private Finance Pool

The availability of public funds for private improvements in the Charlotte Harbor Community Redevelopment Area is limited, making it impossible to address the immediate private needs of the area solely on government funding sources. As a result of this need and the development of this policy a cooperative effort by local lending institutions is needed and shall be promoted through the development and implementation of this policy. Local institutions are encouraged to review this Community Redevelopment Plan and determine the level of involvement that their institution can offer to the needs identified herein.

The Community Reinvestment Act of 1977 requires banks to define a service area, assess local credit needs and make efforts to meet the community's needs. This plan can service as the basis for goal establishment and planning for local institutions. The Charlotte Harbor CRA as the primary agent for this plan, will maintain a standing file for local banks to submit letters of participation. As the CRA develops specific plans for addressing both private and public needs in the CRA, participating institutions will be included in the development and financing phase of the projects. All letters of participation by financial institutions will be attached and shall become a part of this plan as they are received.

In addition Charlotte County also has an Economic Incentive Development Program to advance the mission of the County's Economic Development Office. The Program was specifically created to:

- Produce high-wage value added jobs;
- Reduce the tax burden on residential properties by increasing non-residential tax revenues; and,
- Reduce the impact of economic downturns by diversifying the local economy.

The core of the Program is based upon two (2) vehicles – incentives for job development and incentives for capital investment. Any business that produces the required number of "Quality Jobs" and meets certain basic Program requirements is eligible to participate in the Program. Program participants are eligible to receive both employment and capital incentives.

Employment Incentives

Employment Incentives are linked to a businesses' ability to generate and maintain "Quality Jobs" within Charlotte County. Quality Jobs are full-time jobs that:

1. Provide individual wages that equal or exceed the wage levels discussed below;
2. Provide full-time, year-round employment for ninety (90) percent or more of the total payroll of the company;
3. Provide a safe work environment (as defined in the Ordinance); and,
4. Provide a contribution equal to or exceeding fifty (50) percent of health insurance premiums for all full-time employees.

Businesses that are new to Charlotte County must create no less than ten (10) Quality Jobs. An expanding business must create no less than three (3) Quality Jobs. Quality Jobs must generally be created within two (2) years and must be kept filled for a minimum of two (2) years over a specified period. Except for County fiscal limitations, there are no limits upon the number of Quality Jobs for which a participant may receive Incentives. Employment Incentive amounts are based on the "Florida Wage" as produced by Enterprise Florida effective January 15, 2005, the average annual wage for Charlotte County is \$26,956, and are as follows:

1. \$750.00 for Quality Jobs with salaries equal to or greater than the Florida Wage plus fifteen percent (15%), \$30,999.
 2. \$1,000.00 for Quality Jobs with salaries equal to or greater than the Florida Wage plus fifty percent (50%), \$40,434.
 3. \$1,500.00 for Quality Jobs with salaries equal to or greater than the Florida Wage plus one hundred percent (100%), \$53,912.
- Additionally, Enterprise Florida, Inc. has identified certain target industries in its marketing and sales strategy. If a Program participant is a member of an Enterprise Florida target industry group, the rates of the Employment Incentives are doubled.

Capital Incentives

Capital Incentives are based upon specified levels of capital investments in the County. Capital investments are buildings, fixtures and all improvements to land, building and fixtures in the County. The rate for Capital Incentives is \$1,000.00 per \$100,000.00 of real property value added to the County tax roll during the businesses participation in the Program. A business must meet the Quality Jobs and other requirements necessary to qualify as a Program participant in order to be eligible for Capital Incentives.

Tax Increment Rebates

The CRA many initiate a program that allows a portion of the tax increment generated from a specific project to be paid to a developer for a specific amount for a specific time frame provided that specific criteria are met. It is recommended that the percentage of rebate is higher in the first few years that the program is available to help jump start the redevelopment projects then taper off as the market and conditions improve. This program can also be used to pay impact fees and other improvements to encourage targeted businesses into the area.

Section VII.

Recommendations and Implementation Strategies

Recommendations

Based on the inventory of assets, issues, and opportunities which were derived from County staff and public input—and presented in Section III of this Redevelopment Plan—the following is a list of general recommendations which provides guidance and direction for redevelopment activities that are consistent with the visions and goals set forth for the Charlotte Harbor CRA and its individual districts.

Redevelopment

- The CRA shall seek opportunities to leverage revenues through grants, commercial loans, special assessments or other financial mechanisms for CRA activities while reserving tax increment revenues for funding capital improvements and other programs as approved in the Charlotte Harbor Redevelopment Plan.
- Eliminate dilapidated and unsafe structures through demolition where it is deemed appropriate.
- Encourage the upgrading of existing sub-standard structures through enforcement of the County's Building Codes and the provision of financial incentives for rehabilitation if possible.
- Eliminate nonconforming uses that detract from the character of the CRA which may hinder investment opportunities, through negotiation, acquisition, exchange, transfer of development rights or any other available means in cooperation with the property owner.
- In cooperation with property owners, encourage the consolidation of small parcels of land into parcels of adequate size to accommodate new construction.
- Through successful implementation of projects and programs as described in the Redevelopment Plan, increase the tax base to generate additional revenue for municipal services.
- Ensure that new development consists of appropriate uses that will stabilize and enhance the area while representing the desires and interests of area residents and property owners.

- Create programs for development and property rehabilitation, using financial or other economic incentives to facilitate new investment in the redevelopment district.
- Facilitate redevelopment transitions by developing appropriate relocation plans sensitive to the needs of those whose properties will undergo re-use activities.
- Create incentives for private sector participation in redevelopment projects and programs.
- Coordinate closely with area businesses, and the Chamber of Commerce to address the needs of existing businesses through the redevelopment process.
- Promote and market the CRA as a place to live, work, and enjoy recreational opportunities including Charlotte Harbor.

Land Use and Site Planning

- Clustering of development is encouraged in order to make more efficient use of land and public services, and to reduce development costs.
- Strip development along the corridor transportation routes shall be avoided in order to make more efficient use of the land resources, reduce traffic congestion and preserve traffic safety.
- Property should be developed in such a way as to encourage the development of property depths rather than rendering the rears of property otherwise inappropriate or unfeasible for development.
- Planned Developments (PD) are encouraged, whether they be residential, commercial or industrial in nature, in order to promote orderly land use and development and to maximize land development capacity.
- The use of common driveways and accesses to corridor roads is encouraged in order to reduce traffic congestion and preserve traffic safety and function. The number and frequency of driveways shall be limited. Interconnectivity between parcels will be encouraged
- Formulate future land use strategies on the premise of sound market analysis and demographic research.
- Seek opportunities for land assembly at appropriate locations to support future development.

- Execute a “first right of refusal” for current privately owned properties that are desired by the County for redevelopment/expansion of County holdings such as Bayshore Park.
- Work with existing property owners to replace dilapidated, non-conforming structures through property assembly to enable development of higher and better uses at appropriate locations.
- County Staff and the CRAAC should revise the County’s Land Development Code and Comprehensive Plan when necessary to formulate regulations that support the objectives of the Redevelopment Plan.
- Wherever possible, maintain the integrity of the natural environment when developing property especially when significant tree canopies or natural habitats can be integrated into the site design.
- Establish performance standards to be used within the CRA area that will provide incentives and/or bonuses for developer proposals that provide for additional height and/or increased density.
- When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.
- Develop “user” friendly materials that explain the regulations and standards specific to the CRA.
- Prepare landscaping, streetscaping, irrigation and lighting plans for public spaces to improve the appearance of the CRA.

Infrastructure and Public Services

- Coordinate with all appropriate government and private utilities to ensure the provision of adequate services including, electricity, water, stormwater management, sanitary sewer.
- Secure grant funding when possible to leverage tax increment revenues to accomplish stated goals related to the provision of adequate infrastructure.

- Coordinate with Department of Public Works Department and the Southwest Florida Water Management District (SWFWMD) to develop and further implement strategies to correct existing stormwater runoff and drainage problems within the redevelopment district through a regional approach to stormwater management.
- Adequate street lighting should be provided in the CRA incorporating approved lighting design standards for all public improvements within the Charlotte Harbor CRA.
- Evaluate existing traffic patterns and pursue any transportation improvements that may include vacating of rights of way, redistribution of traffic, roadway realignment, directional changes in traffic flow and other measures that will increase traffic carrying capacity and traveling convenience.
- Work closely with the County, and Florida Department of Transportation (FDOT) to address traffic circulation problems and the physical appearance of the primary transportation corridors of the redevelopment district.
- Work closely with the Metropolitan Planning Organization (MPO), FDOT, and Charlotte County to coordinate and establish priorities for proposed transportation improvements that will further the objectives of the Redevelopment Plan.
- In redevelopment, ensure minimal impacts of increased traffic and activity levels on residential areas.
- Create a safe, secure, appealing and efficient pedestrian/bicycle system linking all major activity area, parking facilities and other focal points.
- Construct sidewalks and bicycle pathways through the CRA appropriately designed and separated from auto circulation for safety purposes to be used as positive tools to improve the area's environment through the use of landscaping and other visual treatments.
- Prepare a horticultural master plan for the CRA establishing a systematic tree planting program to provide a sustainable tree canopy enhancing the aesthetic and climatic appeal of the area.
- Coordinate with the Charlotte County Sheriff's Department and other organizations to implement neighborhood based police and safety programs.
- Prepare a street lighting plan to improve safety in the community.

- Incorporate Crime Prevention through Environmental Design (CPTED) techniques for all public places and for proposed public/private redevelopment projects.
- Whenever possible, increase the visibility of the police force in the area to prevent crime and promote community policing.
- Develop and implement a parking plan to facilitate adequate parking facilities in the CRA.
- Prepare a pedestrian way plan for the entire CRA.

Housing

- Identify and market areas where private interests can develop housing and necessary redevelopment area and adjacent neighborhoods.
- Encourage private efforts toward building housing in the redevelopment area and adjacent neighborhoods.
- Continue with the formulation of financial incentives to promote a balance of housing opportunities and price points in the redevelopment area.
- Strategically target appropriate locations within the redevelopment area to undertake new privately developed and owned multifamily housing developments.
- Initiate in-fill housing development projects on existing and newly vacated properties.
- Devise strategies to encourage live-work opportunities and preserve the single family residences in the historic neighborhoods.
- Identify and remove vacant, dilapidated housing structures that pose a threat to public health and safety.
- Seek grant funds to rehabilitate homes and provide infrastructure improvements to income qualified residents.
- Coordinate with the Charlotte County Community Land Trust to assure affordable housing stock is preserved in the CRA.

Historic Preservation

- Promote Charlotte Harbor heritage by preserving its landmarks and significant structures.
- Work with the Historic Preservation Board to further the organization’s goals as they pertain to historic assets in the community.

Implementation Strategies

Implementation of the Charlotte Harbor Redevelopment Plan will require coordinated efforts by the County, the Agency, the CRAAC, local businesses, property owners, and residents through a series of actions and events. The following is an assortment of proposed programs, incentives, and regulations that could be integrated into the Charlotte Harbor CRA Redevelopment Plan to attract the type of development and redevelopment which meets the vision for each District and the Charlotte Harbor CRA as a whole. Some of the programs and incentives are also offered to assist existing businesses and residents in the area which improve their properties and meet the goals of the CRA without bearing undue hardship in the process.

The purpose behind all of the proposed Charlotte Harbor CRA development related programs, incentives and regulations is to accomplish the following within the CRA: promote positive forms of new development and redevelopment; complete and upgrade infrastructure to meet current standards; reward the creation and retainment of value-added jobs; attract targeted businesses; revitalize the Charlotte Harbor Community Redevelopment Area; increase the non-residential tax-base; enhance and preserve existing residential neighborhoods; and foster a diverse employment base within the Charlotte Harbor CRA.

This section of proposed implementation strategies is not intended to remain static. It is anticipated that the incentives, programs and regulations listed herein will be amended from time to time to improve upon their focus, delivery and impact.

Land Assembly

One of the most common obstacles to community redevelopment is the parcel size of previously developed property. Past development patterns typically involved the subdivision of land into individual small lots and the construction of individual buildings. In order to respond to contemporary market needs and regulatory requirements, lots need to be reassembled in order to carry out cost-effective and economical practical redevelopment.

One approach for land assemblage is for the CRA to purchase properties and assemble them for resale. The resale prices and loan payment terms can be designed to make the cost of redeveloping a site marketable.

This assembly is generally completed by a series of private acquisitions. However, if there are multiple owners of property in an area of planned assembly, one of more of the owners are likely to “holdout” for a premium over market value. In some cases, assembly is completely frustrated

by holdouts. In others, the design of the redevelopment project is compromised as the redevelopment plan is modified to allow the holdout property to be excluded from the redevelopment effort. In still other cases, the developer agrees to pay the demanded premium and the economic feasibility of the redevelopment project is compromised by what are otherwise unsupportable land costs. For a local government interested in community redevelopment, land assembly assistance by way of the power of eminent domain is often the key to successful redevelopment.

Eminent Domain in Support of Redevelopment

The use of the power of eminent domain in support of community redevelopment involves a number of issues: 1) procedural requirements for acquisition; 2) satisfying the legal requirements for compulsory acquisition; and 3) the cost implications of condemnation. A key element of an acquisition strategy is criteria controlling the use of the power of eminent domain. The legal prerequisite is a valid public purpose such as community redevelopment, as articulated by the courts. The Community Redevelopment Act, Part III, Chapter 163 Fla. Stat. (1997), provides the use of eminent domain in support of redevelopment. Eminent Domain is seen as a “last result” if negotiations fail to acquire any property. In the event that any use of eminent domain is needed the Relocation Policy will be consistent with the Florida Redevelopment Statute and local government provisions. Charlotte County supports at a minimum the following policies regarding relocation:

1. Property owners may be offered up to 20% above the estimated market value of the property.
2. Homeowners may be offered reimbursement of impact fees up to \$2,510 if they build a new home in Charlotte County within twenty-four (24) months of closing.
3. Homeowners may be offered homestead exemption benefit payments equal to ten times the benefit if the homeowner builds a new home in Charlotte County within twenty-four (24) months of closing and provides a copy of the certificate of occupancy to the County.
4. The County or Agency may pay or provide a credit at closing for any prepayment penalties if so required by mortgagees.
5. Homeowners or landowners may be permitted to remain in their homes or improved commercial properties after closing and lease such improved properties back at rental rates substantially below the market rate for an extended period of time (until clearance activities, such as street and subdivision infrastructure removal to remedy the blighted area conditions begins to occur).
6. Homeowners or landowners will be permitted to remove certain outbuildings, fixtures and chattels, and landscaping improvements without cost as mutually agreed to in any purchase agreement or settlement.
7. Other innovative methods may be approved by the Agency so that displaced families, businesses, or improved land owners may have better opportunities to respectively find decent, safe, and sanitary replacement housing or facilities so as to lessen the impact of displacement upon affected property owners during the acquisition process.

Programs

Hardship Deferral Program would be to provide a method whereby permanent Charlotte County residents living within the CRA whose total household income is at or below a certain level, as established by the United States government, can defer payment of all or a portion of their

sewer, potable water special assessments until such time as their property is sold or transferred or they no longer qualify for deferral according to the guidelines established in the Hardship Resolution. NOTE: Hardship deferral shall only be available for homesteaded properties.

Utility Connection Grant monies could be available to assist very low, low and moderate income families who qualify according to their income. Approved applicants will have their plumber bill for the water/sewer connection, the meter fee and the septic abandonment fees paid by the grant, the amount to be determined subject to costs and availability of funds.

Redevelopment Funds could be created to reverse blighted conditions and to stimulate reinvestment within the Charlotte Harbor CRA. To assist the private sector in this significant challenge, the County may extend grant monies to successful applicants pursuant to specific criteria and administrative processes as determined by the agency.

(1) Examples of specific criteria could include the following:

- (a) The subject property is located within the boundaries of the Charlotte Harbor CRA.
- (b) The applicant proposes to develop or redevelop the subject property, or to expand or renovate the building or accessory structure on such property, and the financial assistance requested will be used in full or in part to initiate such improvements within the next twelve (12) month period, barring all unforeseen obstacles.
- (c) The proposed improvements will be substantive in scope/impact; will result in a highly-visible aesthetic enhancement to the property; and may conceivably spur similar investment in surrounding properties.
- (d) The proposed improvements pertain to the creation, retainment, or enhancement of a particular business/use which is expected to have a positive socio-economic impact on the corridor and neighborhood in question; or the proposed improvements pertain to the preservation and enhancement of a particular residential structure of historical significance.
- (e) The proposed improvements shall be in harmony with the general intent and purpose of the Charlotte Harbor CRA, and will not be injurious to surrounding properties nor detrimental to the given corridor or neighborhood.

(2) Examples of the types of assistance that may be provided include:

- (a) Level One Matching Grants. These grants would provide for small building renovation, site upgrade projects, or code-required improvements which are expected to result in highly-visible, aesthetic enhancements to the property/building in question. The construction value of projects may be a minimum of \$2,000. Projects less than this amount would not be considered for funding. All matching grants would constitute 50/50 public/private funding, yet the County would fund no more than \$5,000 towards any given project. Examples of projects that may be open to Level One grants include, but would not be limited to: repainting a structure; the installation of pedestrian walk lights, decorative re-roofing, replacing old siding with new and improved material, the installation of landscaping, etc.
- (b) Level Two Matching Grants. These grants are similar to Level One grants, yet more significant with respect to their scope and overall cost. This being the case, the construction value of projects for a Level Two grant would be a minimum of \$5,001, yet the County would not fund no more than \$10,000 towards any given project.

(c) Level Three Matching Grants. These grants are similar to Level Two grants. However, rather than being available to any/all properties within the Charlotte Harbor CRA, Level Three grants would only be available to properties within the Riverwalk District of the CRA. The construction value of projects for a Level Three grant would be a minimum of \$5,001, and a maximum of \$25,000. This type of grant can potentially offer up to \$5,000 more towards given projects and is specifically restricted to properties within the Riverwalk District in recognition of the fact that the Riverwalk District as an area of great potential and high priority with respect to long term redevelopment.

(3) Examples of Conditions of Approval: All approvals for all levels would first be required to obtain approval from the CRAAC.

(a) Approval level. All Level One grant requests would be reviewed and approved at the Community Development level once the CRAAC recommended approval. Given the increased scope and cost implications, all Level Two and Three grant requests would be reviewed and approved first by the CRAAC and then by the Charlotte County CRA.

(b) Matching Grants. With respect to the cost of given projects, 50/50 public/private funding would be established on the basis of construction costs only, and shall not be reflective of associated surveying, engineering, architectural, landscaping or similar design services.

(c) Contract required. If a request is approved, the terms by which financial assistance would be provided shall be detailed in a Redevelopment Fund contract to be signed by the Charlotte County Community Redevelopment Agency, the County Administrator, the applicant and appropriate witnesses thereto. The County shall provide the applicant with an appropriate template to follow for this purpose.

(d) Conditions and safeguards. In approving a request, the Charlotte County Community Redevelopment Agency would prescribe appropriate conditions and safeguards to ensure compliance with the Land Development Code or to satisfy the goals/objectives of the applicable redevelopment plan and/or corridor plan. Such conditions may include time limits for the initiation of the improvements, or any other conditions reasonably related to the criteria listed in the above sections.

(f) After-the-fact reimbursement. If a request is approved, actual reimbursement would not occur until close-out of the project in accordance with the plans and/or permits which were approved for construction.

(g) Window for requests. For new business operations, requests would be filed with the County prior to the issuance of a Certificate of Occupancy (CO). For the expansion/renovation of existing business operations, requests would be filed prior to the issuance of a Development Order. No requests for financial assistance pursuant to the Redevelopment Fund shall be accepted after the applicable deadline.

(h) Limit to requests. If financial assistance pursuant to the Redevelopment Fund is requested and approved by the County, then the subject business thereby waives their right to request any additional forms assistance pursuant to the Redevelopment Fund, for the subject property for a period of twelve (12) months.

(i) Rescinding approval. If a request is approved and the applicant then decides to significantly revisit the conditions/circumstances which he/she represented, then the County Administrator shall have the right to rescind said approval, and the applicant shall be required to re-apply (if so desired) based on the revised set of conditions and circumstances.

(j) Transfer of approvals. Approvals run with the business and property. An approval may only be transferred to another individual, for that same business on that same property, subject to an appropriate amendment to the Redevelopment Fund contract with respect to the signatories.

(k) Expiration of Approval. Matching grants shall expire if within twelve (12) months of the request being filed, the Development Order or the principal building permits involved (as the case may be) have not been issued, or are not imminent. Notwithstanding, the Charlotte County Redevelopment Agency may approve language within the Redevelopment Fund contract which speaks differently to the expiration of approval.

Appearance Code Ordinance

This ordinance would provide benefit to the citizens of the Charlotte Harbor CRA by controlling vegetation, growth and inhabitation of vermin, maintenance of structures, and property appearances as outlined in the Code. The CRA could provide additional code enforcement officers to assure that the code was properly enforced. Incentives, such as rehabilitation and landscape loans or grants could be provided to encourage repairs and maintenance.

Incentives

Further, to encourage the use of the Charlotte Harbor Redevelopment Plan, to the extent authorized by state law, Charlotte County *may* grant the following incentives:

- Some permit applications *may be* processed administratively rather than through public hearing.
- Review fees *may be* subsidized or reduced with TIF revenues
- Review fees *may be* deferred or subsidized with TIF revenues
- Expedited review and approval or the application *may be* processed with priority over others with prior filing dates.
- Fees in-lieu of required stormwater retention
- A traffic impact report *may be* waived.
- Tax Increment revenues generated from a particular development could be used to off-set the cost of improvements if pre-approved in the development agreement.

Fee Adjustments. For all properties located within the Charlotte Harbor CRA, all development-related fees could be reduced by (*to be determined*) percent (%) or subsidized completely. Development related fees could include, but shall not be limited to the following: a site development plan review, subdivision plan review, variances, rezoning, development agreements and amendments, special exceptions, conditional uses, land use amendments, comprehensive plan amendments, public hearing notices, development orders, development order extensions, change of grade permits, easement vacations, street vacations, subdivision inspections, site inspections, building inspections, building permits, sign permits, fire flow assessments, plan submittals, plan reviews, and plan resubmittals. Development-related fees specifically do not include: an occupational license, and contractor registration. For work/activity without proper permits in hand, payment of a penalty fee(s) shall apply and the permit fee(s) in question may then also be required.

Deferment or subsidy of impact fee payments. Upon special request, payment of County water, sewer and parks impact fees may be deferred to a later point in the development review process or subsidized by TIF revenues. Rather than being paid just prior to the issuance of the building permit(s), these fees may be paid just prior to the issuance of the Certificate of Occupancy or the fees could be paid from TIF revenues. Payment of County road and school impact fees may be deferred or subsidized in a similar fashion.

Expedited review and approval. Pursuant to a written request, the County Administrator may designate a given development or redevelopment project as one which is worthy of an expedited review and approval process. Designation by the County Administrator shall be purely discretionary and afforded only in the most extraordinary circumstances. If and once such occurs, a Community Development staff member shall be designated as project liaison and will work in close contact with the applicant and his/her agent(s). Once formal plans have been prepared and submitted to the County, the project liaison will oversee an expedited staff development review of the project. In so doing, the project liaison may take the necessary steps to schedule a special meeting of the Development Review Committee (DRC), the Planning and Zoning Board and/or the County Commissioners in order to secure timely approvals.

Fees in-lieu of required stormwater retention. Following the adoption of the Charlotte Harbor Stormwater Management Plan, individuals who own property in the Charlotte Harbor CRA may be eligible to receive a credit for implementing the stormwater management plan or may be eligible for a payment-in-lieu-of to implement the master plan and share in the use of an off-site publicly owned and maintained stormwater retention area, as the case may be, in exchange for appropriately calculated fees. For this incentive to be available, the County must own appropriately designated land within reasonable proximity to the subject property. A program will be established to facilitate the implementation of the Comprehensive Stormwater Master Plan once the plan is adopted by the Board of County Commissioners.

Various programs could be developed to meet the overriding goals articulated in this redevelopment plan and identified by the following categories:

Category 1: Performance Based Increased Density and Height limits

Any increase in density above standard densities or increased in height would be tied to performance standards adopted by the CRAAC and the Board of County Commissioners.

Category 2: Promoting Superior Site Design & Quality Development

The physical layout, orientation and design of a proposed development can greatly affect the activities on site, the connectivity to uses and activities off site, and the overall neighborhood character and aesthetic appreciation of the development. While less quantitative than other categories, there are a number of planning and design elements recognized by the planning professions that greatly contribute the quality of development. Some of the objectives under this category may include, but are not limited to:

- Connectivity: the placement of uses, development, and pathways on site realizes and complements connections amongst uses internally and externally;
- Clustering: concentrating development on a tract of land to increase areas of open space and/or preservation on site;
- Exterior Design and Materials: Treatment of facades, fenestrations and provision of ornamental features can greatly enhance the quality of development. Use of colonnades, awnings, arcades and balconies can provide shade to pedestrians and further accent the building façade. Building recesses and setbacks can promote greater light and air, mitigating effects of increased building bulk and height. Examples of building standards are included in Appendix D of this plan.
- Orientation: Street and building placement can be designed to orient activities and vistas. Buildings maintain view corridors. Undulating streets can break up monotonous grid systems and slow traffic. The location of public parks, open space, community facilities and public squares relative to other development can create a sense of cohesiveness and community; and
- Underground Utilities: provision of underground utilities enhances the aesthetic value of a community while affording additional protection from hurricanes.

The CRA will continue to revise and implement design standards that meet the following objectives:

- (a) The building shall have an appropriate and fully integrated rooftop architectural treatment, which substantially screens all mechanical equipment, stairs and elevator, towers and provides an architecturally interesting skyline view.
- (b) The building shall have varying, stepped down elements to provide visual interest, rather than a straight-line edge fronting the street.

Category 3: Public Open Space & Recreational Areas

Open space, landscaping and buffering provided in addition to that required under the County's land use and development regulations, ordinances and resolutions are encouraged. Provision of passive and active recreational areas and facilities are highly valued objectives in this category. Connection to existing public recreational areas and achievement of target areas and facilities under the Redevelopment Plan shall be considered and encouraged.

Category 4: Enhanced Waterfront Access & Use

Provision of new and/or enhanced opportunities for public access and use of waterfront resources are priority goals. Objectives rewarded under this category may include but are not limited to:

- Provision of land and/or facilities that expand existing public parks and facilities;
- Provision of waterfront boardwalks, esplanades, and/or pathways;
- Provision of sitting areas and other passive-related improvements;

- Provision of piers, docks, and boat-launches;
- Provision of parking lots or parking structures at or adjacent to waterfront locations, serving the general public; and

Category 5: Charlotte Harbor CRA Improvement Fund

Contributions to the Charlotte Harbor CRA Improvement Fund (CHIF) can be made in accordance with a schedule approved by the County to achieve greater density and/or height for a development site. Contributions collected under CHIF will be used by the County to make public improvements in the Charlotte Harbor CRA, where developments achieve additional development through awards under this category. Monies under this fund could be used, but are not limited to the following types of public improvements: the Riverwalk enhancement in the Riverwalk district or the US 41 Revitalization and Beautification project in the US 41 Gateway District. Other uses could include: public parks, bike and or pedestrian paths, greenbelt and nature trails, plantings, and infrastructure improvements. The County will prepare an annual report describing the amount of money collected under this program, current and proposed expenditures, and projects under this program, inclusive of an anticipated time schedule.

Category 6: Mixed Use/retail-office-residential

Developers are encouraged by incentive-based programs to provide a mix of uses for each applicable each land use district such as : US 41 Gateway District - 30-40% residential; 60-70% office/commercial; Riverwalk district - 60-70% residential/accommodations and 30-40% commercial.

Category 7: Transportation Improvements

The provision of transportation improvements in excess of those required under other regulations and review procedures shall be objectives under this plan, based on achieving suitability and eligibility criteria. The improvements that may be encouraged under this category may include but are not limited to:

- Provision of land to support existing and proposed right-of-ways on and off-site needed by the County;
- Physical construction of and/or payments for right-of-way improvements on and off-site in excess of those required by the County or other agency;
- Provision of streetscape improvements (plantings, street furniture, etc);
- Provision of traffic control measures (e.g. signalization);
- Traffic calming control measures;
- Interconnectivity between parcels; and
- Developer agrees to provide a parking structure that includes public parking in addition to the required private parking.
 - (a) The parking structure is not visible from street.
 - (b) Parking structure is designed to be compatible with the overall design of the project and does not resemble the typical parking structure.

Category 8: Maintaining a balance of Housing products

As housing costs continue to escalate, the provision of housing that is affordable (30% of income is spent on housing) to the workforce associated with commercial services and industries will continue to be an important objective to sustain the County's and CRA's socio-economic long-term objectives.

Category 9: Land Assemblage

The pre-platted nature of the County poses challenges to the aggregation of land needed to support a quality commercial and/or mixed use development. Developments that assemble properties will be encouraged and incentives will be developed to encourage assembly.

Section VIII. Statutory Requirements

Chapter 163, Part III requires that a Community Redevelopment Plan contains the following information:

Approximate amount of parks and open space

Currently the Charlotte Harbor CRA provides for 33.97 acres or 4.44% of the land to preservation and recreation. The location of these lands is depicted in Figure 24 on page 90 and the Future Land Use Map on page 26. However with the acquisition of the 9.5 acres of residential properties along Bayshore Road which is being designed and converted to Bayshore Live Oak Linear Park, the amount of parks and open space increases to 43.47 acres or 5.7% of the land.

Street Layout

Figure 24, located at the end of this section, depicts the street layout of the Charlotte Harbor CRA as it currently exists. However there is a recommendation within this the Redevelopment Plan to vacate Bayshore Road from US 41 north to Pinion Street to accommodate potential land assemblage for development of tourist accommodations, specialty shops, restaurants and other amenities which will enhance and create a destination of the waterfront.

Limitations on the type, size, height, number and proposed use of buildings

The Future Land Use classifications as described in the Charlotte County Comprehensive Plan 1997-2010, and the overlying zoning designations for the Charlotte Harbor CRA together provide the current limitations on the type, size, height, number and proposed use of buildings within the Charlotte Harbor CRA.

This Redevelopment Plan supports new height limitations for certain designated areas within the Riverwalk District and the US 41 Gateway District of the CRA. The height increase may allow for additional multi-family and resort accommodations to develop within the CRA provided parking and infrastructure needs are met.

Number of dwelling units

According to the 2000 Census Data (see Section I), there are approximately 1,589 dwelling units (only an approximation, as the Census Tract and Block is not an exact correlation to the CRA boundaries) of various types and character, including, single-family multi-family, rental units, owner occupied units, and detached units in existence in the CRA.

Currently, the CRA has seven land use classification that allow residential development of one type or other. Allowable residential densities range from a high of 15 units per acre in Commercial Tourist and Mixed Use to a low of 1 unit per 10 acres in preservation. There is a total of 356.88

acres of land that could potentially allow residential dwelling units, however some land use classifications, like Mixed Use and Neighborhood/Residential only allow for a certain percentage of the total land to be dedicated to residential because of the requirement for a mixed use type distribution.

The following table shows the potential number of dwelling units that could be developed if all land which allowed for residential was developed to the maximum density currently allowed. Of course it is very unlikely that this will ever happen

Redevelopment program activities will strive to cultivate the positive neighborhood characteristics cited by the community during public workshops and reduce or eliminate the negative characteristics. While the Redevelopment Plan contained herein identifies areas of residential use, it is assumed that these areas would be developed by the private sector in response to favorable market conditions resulting from the success of the redevelopment program.

Potential Dwelling Units in the CRA			
Classification	Acreage	Density	# Units
Coastal Residential	177.76 -9.5 (park ac)	3.5 du/ac	588
Commercial Tourist	46.37	15 du/ac	695
Low Density Residential	41.33	3.5 du/ac	144
Medium Density Residential	19.95	10 du/ac	199
Mixed Use	112.67 @ 40% (max)	15 du/ac	676
Neighborhood/ Residential	26.83 @ 40% (max)	10 du/ac	107
Preservation	25.17	1 du/10 ac	2
Total	356.88		2,411 max.
Existing			1,589 du

The residential land use locations are depicted in Figure 24, the Future Land Use Map.

Intended Use of Property for public parks, recreation areas, streets, public utilities and public improvements

Sections IV and V of this Redevelopment Plan presents the proposals for all the intended uses of property for public parks, recreation areas, streets, public utilities and public improvements. The proposed budgets for these projects and plans are also presented.

Neighborhood Impact Statement

Redevelopment activity in any neighborhood has a mixed impact on the existing population. Such activity generally improves property values in the area, educates risk-adverse mortgage lenders on the merits of mortgage lending in the area, and draws the interest of developers, property renovators, and new urban residents to the neighborhood. Neighborhood associations form or strengthen, and neighborhood crime-watch networks become more effective. Community services improve, the crime rate drops, and public facilities are replaced or upgraded. The reduction of crime is, and will be an important aspect for redevelopment in the Charlotte Harbor area. Figure 25, found at the end of this section, illustrates the Areas of Concern based on crime statistics provided by the Charlotte County Sheriff's Department for the months of January to August 2005.

However, the same activity can cause the process of gentrification to occur; which essentially pushes the economically marginal residents out of the area, into a neighborhood for which there is less demand for housing accommodations. The County operates a housing rehabilitation program for such circumstances, and can facilitate low interest mortgage loans, deferred payments, and the ability to facilitate movement to adjacent, lower cost neighborhoods. Charlotte County is committed to providing assistance available to current area residents to keep them in their homes, and within the area. The County is also committed to maintaining a significant supply of affordable housing in the area and supports the development of a Community Land Trust.

Adjacent Resident Population

Charlotte Harbor, because of its unique historical, locational and physical characteristics, is the gateway neighborhood for the surrounding neighborhoods. Port Charlotte and Punta Gorda will benefit greatly from the revitalization of the area. The revitalization of Charlotte Harbor will have a positive spill over effect into each of these areas, in terms of new interest from urban residents, lenders and investors, jobs creation for the current residents of these neighborhoods, and improvements in public facilities and infrastructure sorely needed in those areas.

New residents and businesses, and economic activity, in Charlotte Harbor will also create new confidence in this area, an important consequence of the public commitment to the area. Provided that the County's redevelopment process is sensitive to the short-term and ongoing impacts of the process on adjacent areas, there should be no real downside to adjacent neighborhood residents of the redevelopment efforts in Charlotte Harbor.

Relocation, Replacement Housing, Affordable Housing

As detailed earlier, the County's policies regarding relocation and replacement housing are intended to minimize the impact and inconvenience of relocation. There is an ample supply of affordable housing in the general area, and the County's housing program is expanding and focused on

affordable housing development and retention. At this time, there is no element of this Plan that would require resident relocation. However, the Plan is intended to be dynamic, and so the condition may arise in the future. If so, the County is prepared to offer assistance available to mitigate the impacts of any relocation that may be required. The County will also assist business needs for relocation as a result of the implementation of this Plan

Traffic Circulation

Traffic circulation in the area is often congested during special events. During those peak periods of congestion, the problem is exacerbated by several factors, including the lack of adequate parking facilities for peak periods of parking demand, a neighborhood street pattern utilizing historically narrow streets, and the lack of a practical transit alternative for those who otherwise might park outside the area and ride in on a shuttle. Certainly, additional redevelopment in the area will create additional travel and parking demand, and place additional stress on the area's transportation network. To a certain extent, traffic congestion and a shortage of parking is endemic to dense and successful urban areas, and the answer to such problems is not necessarily to continue building new capacity. Improvements in transportation facilities as they occur in the area should improve conditions for current and future residents, business owners and visitors.

Developing mixed use projects and enhancing pedestrian and bicycle connections will help to facilitate improvements to transportation patterns in the area. Improvements identified in the Florida Department of Transportation (FDOT) and the local MPO plans will also assist in facilitating improvements to traffic movement and circulation. A roadway concurrency mitigation plan may need to be developed in some areas of the CRA.

Environmental Quality

The redevelopment activity envisioned for area will be accompanied by a variety of infrastructure improvements that will all contribute to an improvement in environmental quality. All currently vacant property, which is subsequently redeveloped, will mitigate any ground pollution present. Improvements to sanitary sewer, water and stormwater systems will improve surface and ground water quality. Additional shade trees and public landscape will improve air quality and reduce any visual pollution present. Any special clean-up services or solid waste disposal services will improve the area, as will the special attention paid to resolving code and property maintenance problems in the area.

Availability of Community Facilities and Impact on Schools

It is unlikely that the new residential development anticipated by the Plan will place a significant burden upon the Charlotte County School System. New provisions for school concurrency requirements will be developed that are consistent with implementation of this redevelopment plan and meet the overall objectives of the State and local governments.

Identify Publicly Funded Capital Projects

See Section V of this Redevelopment report for a complete description of all publicly funded capital projects within the Charlotte Harbor CRA.

Safeguards that the Work of Redevelopment will be according to Plan

This Charlotte Harbor Community Redevelopment Plan is the guiding document for future development, redevelopment, programs, projects, and activities in and for the Charlotte Harbor redevelopment area. In order to assure that redevelopment will take place in conformance with the projects, goals and policies expressed in this Plan, the Community Redevelopment Agency will utilize the regulatory devices, instruments and systems used by the Charlotte County to permit development and redevelopment within its jurisdiction. These regulatory devices, include but are not limited to the Comprehensive Plan, the Land Development Code, adopted design guidelines, and County authorized development review processes. Further, the Redevelopment Plan sets forth proposed uses and illustrates them on the accompanying maps.

Provide for Retention of Control

The Charlotte County Board of County Commissioners which acts as the Charlotte County Community Redevelopment Agency retains the vested authority and responsibility for:

1. The power to grant final approval to Redevelopment Plans and modifications.
2. The power to authorize issuance of revenue bonds as set forth in Section 163.385, F. S.
3. The power to approve the acquisition, demolition, removal or disposal of property as provided in Section 163.370(3), F.S. and the power to assume the responsibility to bear loss as provided in Section 163.370(3), F.S.

The Community Redevelopment Agency shall provide adequate safeguards or any other provisions necessary to carry out the goals and objectives of the Community Redevelopment Plan to ensure that all leases, deeds contracts, agreements, and declarations of restrictions relative to any real property conveyed shall contain restrictions and/or covenants to run with the land and its uses.

Replacement Housing and Relocation

The County's relocation assistance policies provide an equitable treatment for all property owners and tenants in the event of displacement resulting from property acquisition by the Redevelopment Agency. It is anticipated that property acquisitions within the redevelopment area will also occur through private enterprise. Private sector land acquisition and redevelopment projects are not subject to the same provisions. If a voluntary sale is made the relocation of occupants—whether tenants or owners—is the responsibility of the parties to that sale.

Determinations concerning residential and non-residential uses

Currently there are no plans to disrupt or change the residential land uses currently found in the Charlotte Harbor CRA. The majority of redevelopment projects, plans and elements occur in the Riverwalk District, which has some allowance for residential in the Commercial Tourist Land Use classification, and the US 41 Gateway District which allows for in Mixed Use, Commercial Tourist, Coastal Residential, and Neighborhood Residential. If anything, there will be a greater allowance for residential units in these two districts as there may be proposals to provide for bonus density increases based on performance standards and the availability of transfer of density units (TDUs). The other two residential areas, the Charlotte Harbor Neighborhood District and the Melbourne Neighborhood District, will remain primarily residential with

the exception of the Bayshore Live Oak Park on the south side of Bayshore Road. The Park will provide a great asset to the residential neighborhoods.

Duration

The provisions of this Plan, and as may be amended, shall remain in effect, and serve as a guide for the future redevelopment activities in the entire designated Charlotte Harbor Community Redevelopment Area. Completion of all projects financed by tax increment revenues shall be completed by January 2036 or as allowed by Chapter 163 of the Florida Statutes.

Consistency with the Comprehensive Plan

The County's Comprehensive Plan was adopted in 1998 and is currently being updated through the State's evaluation and appraisal review process. It designates future land use, guides the timing of future growth based on infrastructure concurrency, and defines the community's future vision through Goals, Objectives, and Policies (GOPs).

The Charlotte County Community Redevelopment Plan was originally adopted into the County's Comprehensive Plan so that consistency of the Future Land Use Element is assured and any zoning changes will be consistent with the Comprehensive Plan.

Objective 2.3 (Community Redevelopment Agency): Charlotte County will continue to implement the Community Plan adopted for the Charlotte Harbor Community Redevelopment Agency district which includes provisions for mixed use development, permits only low intensity industrial uses in currently designated areas, and provides for acquisition of targeted lands and a system of bicycle and pedestrian ways.

Policy 2.3.1: The Charlotte Harbor Community Plan denotes Future Land Use Map designations which are depicted in the Future Land Use Map series. The designations for the Community Plan employ the same Future Land Use Map designations as identified in this comprehensive plan except for the following:

Neighborhood Business/Residential (Modified by Ordinance # 2005-007, Adopted on January 18, 2005)

The Neighborhood Business/Residential designation provides for daily convenience goods, professional, personal, and business services, and the medium density residential needs of residents located within the Charlotte Harbor Community. Businesses operating within Neighborhood Business/Residential lands may include small restaurants, drug stores, and specialty retail shops, as well as professional offices. Specific conditions applicable to the Neighborhood Business/Residential designation include:

- the maximum residential density is ten (10) dwelling units per gross acre;
- residential dwelling units must be located on a separate floor level from office or commercial uses on multi-use development sites;

- maximum floor area ratio is .60;
- maximum building coverage of a lot is fifty percent (50%);
- multi-use developments on the same parcel site must be compatible with the surrounding land uses and may be developed only as part of a Planned Unit Development (PUD);
- commercial uses are limited to 8,000 square feet of gross leasable area unless developed as part of a Planned Unit Development (PUD);
- commercial uses may not exceed 80% of the total area; and
- residential uses may not exceed 40% of the total area.

Mixed Use (CRA)

The Mixed Use designation allows for a combination of residential, commercial, and professional office land uses within the Charlotte Harbor Community planning area. Mixed Use areas allow for single family residential development not to exceed a density of three and one-half (3.5) dwelling units per gross acre or multi-family residential development not to exceed fifteen (15) units per gross acre. Mixed Use areas also provide for general retail, neighborhood stores, and commercial tourist establishments, as well as professional offices. Specific conditions applicable to the Mixed Use designation include:

- multi-use developments must be compatible with the surrounding land uses and may be developed only as part of a Planned Unit Development (PUD);
- commercial intensive uses are prohibited from Mixed Use areas;
- commercial uses may not exceed 80% of the total Mixed Use area; and
- residential uses may not exceed 40% of the total Mixed Use area.

A. Mixed Use Residential Planned Development

- development may be either single or multi-family residential;
- single-family residential may be developed up to three and one-half (3.5) dwelling units per gross acre or one unit per platted lot if platted at a density of less than 3.5 units per acre;
- multi-family residential may be developed up to fifteen (15) dwelling units per gross acre; and
- low intensity recreational activities are permitted as part of an approved Planned Unit Development (PUD).

B. Mixed Use Commercial and Professional Office Planned Development

- development is limited to general retail and neighborhood stores, tourism establishments, restaurants, and personal and business services;
- maximum floor area ratio is .60;
- maximum building coverage of a lot is fifty percent (50%); and
- intensive uses, such as automobile and heavy machinery sales and repairs, are prohibited.

C. Mixed Use Residential and Low Intensity Commercial Planned Development

- provides for a combination of residential and low intensity commercial or professional office uses on the same parcel site;
- maximum residential density is fifteen (15) dwelling units per gross acre;
- residential development must be located on a separate floor from commercial or office uses;
- maximum floor area ratio is .60; and
- maximum building coverage of a lot is fifty percent (50%).

Commercial Tourist

The Commercial Tourist designation provides for tourist accommodations and services, as well as recreational activities. Areas designated as Commercial Tourist are located adjacent or near to an attractor of tourism, such as Charlotte Harbor frontage with its recreational and scenic resources. Businesses operating within Commercial Tourist lands include motels, restaurants, general retail stores, and professional services. One specific condition applies to the Commercial Tourist designation:

- maximum floor area ratio is .60.

Commercial

Land designated as Commercial is intended for activities predominately connected with the sale, rental, and distribution of products or performance of service. Areas so designated are intended to provide for general commercial activities serving the community and neighborhood commercial centers oriented to serving the residential areas. In addition, in unincorporated Charlotte County, recreational vehicles at a density of up to 8 units per acre are allowed in this land use category in accordance with criteria to be developed in the Land Development Regulations.

Policy 2.3.2: In order to protect the public safety, mobile homes are prohibited within the Charlotte Harbor Community planning area which is located primarily within the "Coastal High Hazard" area.

Policy 2.3.3: Maximum density of single-family residential development in areas deemed environmentally sensitive and designated as Preservation will be limited to one (1) dwelling unit per ten (10) acres.

Policy 2.3.4: Only low intensity manufacturing and industrial uses are permitted within the lands designated as "Industrial" within the Charlotte Harbor Community Plan. Examples of low intensity manufacturing and industrial uses include wholesaling, warehousing, automotive sales and service, and printing businesses.

Policy 2.3.5: Industrial uses within the Charlotte Harbor Community will be limited to the existing industrial designated areas.

Policy 2.3.6: The Community Redevelopment Agency Advisory Committee will review proposed comprehensive plan amendments and rezoning petitions for consistency with the Charlotte Harbor Community Plan and will issue a recommendation to the local planning agency and Board of County Commissioners.

Policy 2.3.7: (Modified by Ordinance #98-50, Adopted on July 7, 1998): Future Land Use Map Series #8 depicts potential land acquisition sites within the Charlotte Harbor Community Redevelopment Agency district. Upon acquisition, these sites will be developed as neighborhood or community parks or will be maintained as undeveloped open space.

Policy 2.3.8: By January 1, 1998, Charlotte County will plan a comprehensive system of bicycle paths and sidewalks for the Charlotte Harbor Community planning area. This comprehensive program will include costs for developing and maintaining the sidewalks and bicycle paths, as well as identifying potential sources of funding. This plan will be incorporated into the Charlotte County MPO Bicycle and Pedestrian Plan.

Policy 2.3.9: Charlotte County will continue to implement a Land Development Code specifically for the Charlotte Harbor Community planning area. The Land Development Code includes provisions for preservation of historical structures, buffering between land uses, design and maintenance standards for properties, and signage.

Policy 2.3.10: To the greatest extent possible, commercial uses will not front on local streets within the Charlotte Harbor Community planning area. Roadway access to commercial and professional office uses will be provided along arterial and collector roadways unless the only available access is by a local street.

Policy 2.3.11: Within the Charlotte Harbor Community planning area where residential lots are platted at greater than three and one-half (3.5) dwelling units per acre, residential densities may be developed at one (1) single-family dwelling unit per platted lot. In cases where the fraction of the maximum number of developable dwelling units is greater than fifty percent (50%), the landowner is permitted to build one additional dwelling unit if permitted within the applicable zoning district.

Policy 2.3.12: Existing uses and structures within the Commercial Tourist, Coastal Residential, Medium Density Residential and Neighborhood/Business Residential Future Land Use Map categories will be considered legal, non-conforming, if applicable, and will be permitted to continue functioning in the same manner until a change in land use activity. The Charlotte Harbor Community Code will specifically address non-conforming uses and structures.

Policy 2.3.13: Where applicable, Transfers of Development Rights (TDRs) and density bonuses will be addressed within the Charlotte Harbor Community Code.

Policy 2.3.14: Multi-family residential development is prohibited south of Bayshore Drive along Charlotte Harbor. (Deleted by Ordinance # 2005-007, Adopted on January 18, 2005)

Additional Goals and Objectives included in the County's Comprehensive Plan that are specifically addressed by the Community Redevelopment Plan include, but are not limited to:

Future Land Use Element:

Goal 1 (Growth Management): Charlotte County will manage growth and development in a manner which safeguards the public investment, balances the benefits of economic growth with the need for environmental protection, and prevents sprawl.

Policy 1.1.3: The construction and maintenance of roadways, drainage facilities, central potable water and sanitary sewer facilities will be prioritized within Infill Areas.

Goal 2 (Land Use Pattern): Charlotte County will provide for a variety of development opportunities and will promote freedom of individual choice consistent with the Urban Service Area Strategy.

Objective 2.5(Overlay Districts): Charlotte County will identify areas on the Future Land Use Map which require unique consideration for land density and development activities.

Goal 4 (Land Development): Charlotte County will regulate the use of land in the public interest to protect the health, safety, and welfare of their citizens and also to safeguard the public investment.

Objective 4.2 (Innovative Land Development Techniques): Charlotte County will encourage the effective use of innovative land development techniques.

Policy 4.2.1: Charlotte County will encourage mixed-use development as prescribed by the Future Land Use Map and in the definition of the mixed-use categories as they appear in this element.

Goal 5 (Public Safety): Charlotte County will regulate the use of lands to safeguard the public investment and protect the population.

Objective 5.3: Through delineation on the Future Land Use Map, Charlotte County shall assure the availability of suitable land for utility facilities necessary to support development through the planning timeframe of 2010.

Policy 5.3.1: Utility facilities shall be allowed in all Future Land Use Map designations. The design and construction of such facilities shall protect natural resources and environmental sensitive areas.

Goal 6 (Redevelopment): Charlotte County will attempt to enhance the livability of areas in need of redevelopment.

Objective 6.1 (Redevelopment): Charlotte County will promote the renewal and redevelopment of areas in need of redevelopment through such methods as designating Community Redevelopment Areas, developing and implementing specific neighborhood and community plans, and providing assistance to qualified individuals through the State Housing Initiatives Partnership Program.

Policy 6.1.1: Charlotte County will provide support for the Charlotte Harbor Town redevelopment, consistent with the adopted Community Redevelopment Area (CRA) plan which includes provisions for mixed use development, permits only low intensity industrial uses in currently designated areas, and provides for acquisition of targeted lands and a system of bicycle and pedestrian ways.

Policy 6.1.2: Charlotte County will encourage the upgrading or revitalization of deteriorating commercial areas through innovative methods which may include shared parking; storefront renewal; and architectural, sign, and other aesthetic controls.

Policy 6.1.3: Charlotte County will assist the non-profit organization, the Housing Corporation of Charlotte County, Incorporated, in obtaining financial assistance for redevelopment projects which aid lower income families.

Transportation Element:

Goal 2 (Intermodal/Multimodal Facilities): Coordinate each component of the transportation system with other components to achieve convenience, safety and cost effectiveness.

Objective 2.2: Provide modal choice in public rights-of-way.

Goal 4 (Sidewalks/Bikeways): Provide sidewalks/bikeways on urban collector and arterial roadways, accessing educational facilities, retail facilities, and recreational facilities.

Goal 8 (Public Transit): Consider expanding the public para-transit system within Charlotte County, which is safe, convenient and accommodates the transportation disadvantaged.

Objective 11.1 (Hurricane Evacuation Corridors): Provide improvements to hurricane evacuation corridors in each geographical area of the county.

Goal 12 (Street Corridor Design): Street corridors represent a significant portion of public land and, as such, will be designed to gain the most public good possible.

Objective 12.2 (Access Management): Management access for major and urban collectors and all arterials to preserve the capacity of these facilities, according to Ordinance 89-36 as revised and FDOT standards for new construction.

Goal 14 (Development Regulations): Maintain clear, concise, and enforceable development regulations which fully address on-site and off-site impacts yet function in a streamlined manner.

Policy 14.2.1 (Concurrency): At the time of development order or permit is issued, the necessary facilities and services are in place or under construction; or a development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development and are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government five-year schedule of capital improvements. The schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five year work program. For the purposes of issuing a development order or permit, a proposed urban redevelopment project located within a defined and mapped Existing Urban Services Area as established in Charlotte County comprehensive plan pursuant to Section 163.3164(29), F.S., shall not be subject to the concurrency requirements of Rule 9J-5.0055(3)(c)1-4 for up to 110 percent of the transportation impact generated by the previously existing development. For the purposes of this provision, a previously existing development is the actual previous built use which was occupied and active within a time period established in the Charlotte County comprehensive plan. [Section 163.3180(8), F.S.]

Natural Resources and Coastal Planning Element:

Policy 1.1.4: To facilitate development of bicycle and pedestrian paths, the Community Development Department shall work with the Charlotte County MPO to implement a master sidewalk and bike path plan.

Objective 1.2: The surface waters of Charlotte County shall be protected to ensure that their quality is maintained or improved to, at a minimum, meet the standards established by Chapter 62-302, FAC and the Clean Water Act, 3 USC 1251.

Infrastructure Element:

Goal 1: Charlotte County will reduce the flooding of lands where such flooding is at such a recurrence interval that it presents a hazard to property. Where practical, Charlotte County will implement best management practices of both non-structural and structural nature that are intended to reduce the impact of stormwater to the receiving water body.

Objective 1.1: Charlotte County will develop and implement a Master Stormwater Management Plan.

Objective 1.3: Charlotte County will ensure that stormwater management facilities are in place and available to serve all new development, whether provided by County or by those creating the new development.

Objective 1.6: Charlotte County will work to fund and implement stormwater management programs to achieve the objectives set forth herein.

Objective 9.1: Charlotte County and utilities serving the county shall ensure the provision of potable water and sanitary sewer services to new and existing development in conjunction with previously certificated areas and the Urban Service Area strategy through the planning timeframe of 2010.

Objective 11.3: Developed properties will be connected to central potable water or sewer service when it is available and within 365 days upon written notification by the utility provider.

Recreation and Open Space Element:

Goal 1: Develop and maintain a park and recreation system that will provide a diverse, yet balanced, range of active and passive recreation opportunities and facilities which meets the needs of all persons, while maintaining the unique natural features of the land.

Policy 1.1.10: Charlotte County will encourage developers of subdivisions, developments of regional impacts and planned unit developments to plan and maintain recreational facilities as part of their development.

Objective 1.2 (Alternative Strategies): Promote recreational activities outside the traditional system through the increased use of community and educational facilities and develop creative alternative recreation opportunities in order to serve a larger segment of the population.

Objective 1.4 (Management): Protect and maintain open space and park land that will conserve forests, wetlands, fish, marine life, and wildlife and in order to retain their environmental, economic, aesthetic, and recreational values.

Objective 1.5 (Acquisition): Acquire park land and open space, as appropriate, to expand the parks system throughout the county.

Housing Element:

Goal 1: Charlotte County will promote the availability of a choice of safe, sanitary housing on a nondiscriminatory basis to current and anticipated households of all income levels.

Policy 1.5.2: Charlotte County will encourage residential development within Infill Areas of the Urban Service Area. Residential development shall be coordinated with existing and planned community services and infrastructure. Through the PUD process, Charlotte County will encourage innovative land uses, such as internal TDR's, zero lot-line construction, and other techniques.

Intergovernmental Coordination Element:

Goal 1: Charlotte County will maintain or enhance the level of coordination and cooperation among the various governments, authorities and agencies making decisions affecting natural resources, housing, historic and archeological resources, public facilities, and public services within and around Charlotte County.

Capital Improvements Element:

Goal 1: Consistent with the provisions of Chapter 9J-5, Florida Administrative Code, Charlotte County will organize the use of its limited fiscal resources to provide capital facilities and services concurrently with the needs generated by new and existing residents of the community.

Objective 1.2: Future development in Charlotte County will pay its fair share cost of new infrastructure.

Community Facilities and Services Element:

Goal 1: Within reasonable feasibility, Charlotte County will provide high-quality and reasonable community facilities and services which meet the information, educational, recreational, safety, health, welfare, and justice needs of its citizens.

Objective 1.1: Charlotte County will provide general government public facilities and services to meet the needs generated by new and existing residents of the community.

Objective 1.4: Charlotte County will coordinate with the School Board to provide a public education system which meets the needs of Charlotte County's existing and future populations.

Objective 1.5: Charlotte County will both maintain and expand, when necessary, the Fire and Emergency Medical Services delivery system in order to provide the highest level of safety and protection to its citizens and property.

Objective 1.8: Charlotte County will provide support to the County's Sheriff's Office which will strengthen their policing capabilities and help to secure the safety of residents and visitors.

CONCLUSION: This Community Redevelopment Plan provides a framework for infrastructure improvements, improved access management and pedestrian connections, incentives to encourage assembly of property and redevelopment of the Community Redevelopment Area as an attractive, safe, pedestrian-friendly and economically successful community that promotes a positive image and identity for the entire County. This Community Redevelopment Plan deliberately and reasonably addresses the blighted area conditions observed and finding of necessity determinations made, ratified, and confirmed by the Board. To realize the redevelopment vision of this Community Redevelopment Plan, community leaders, business persons and residents alike are encouraged to support the redevelopment objectives and continue to do so over time and changing administrations so that the vision is successfully implemented and transcends into reality.

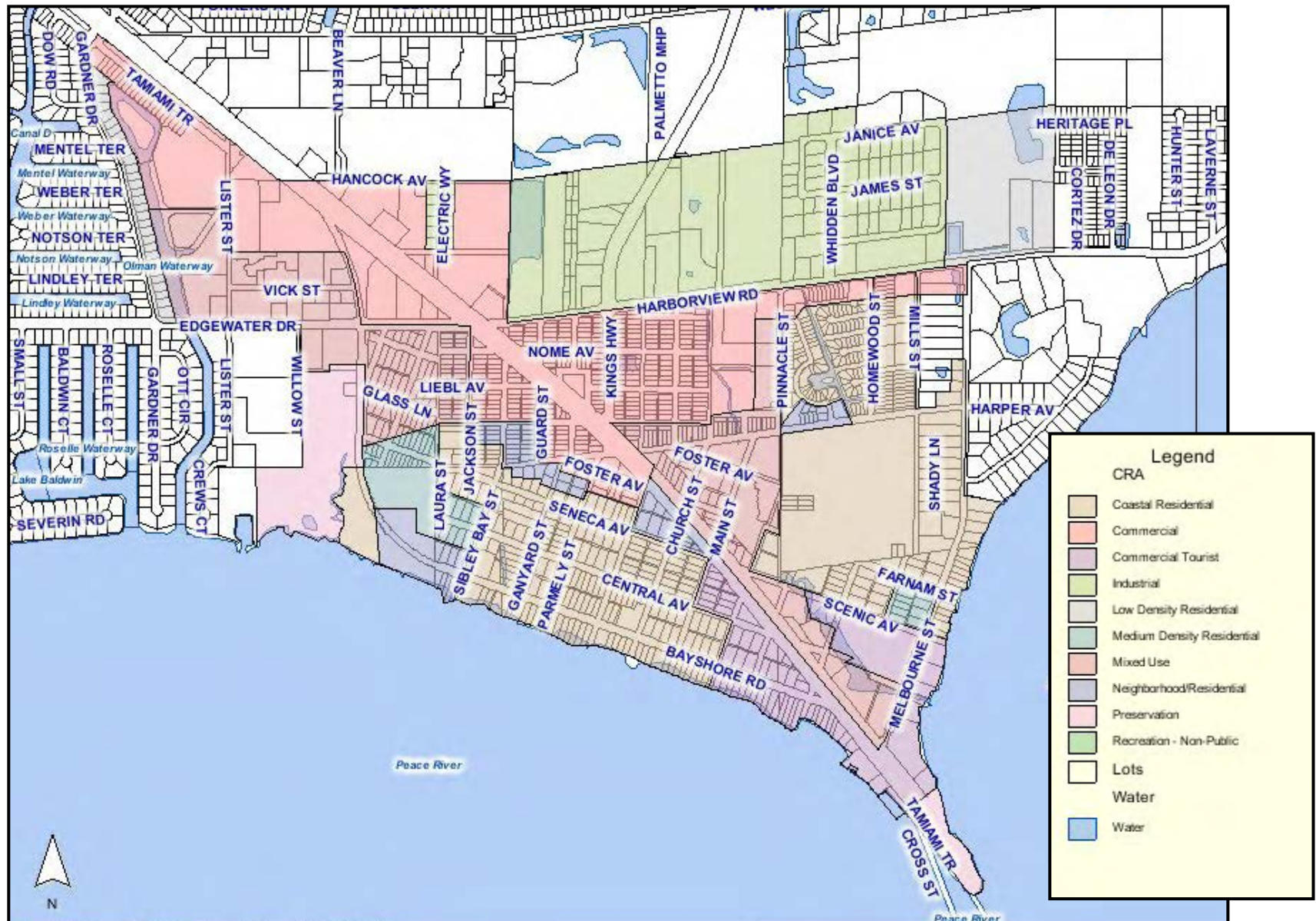


Figure 24: CRA Future Land Use Map illustrates the intended land uses, which includes public parks, recreation, open space and residential uses. This map also depicts the street layout at it currently exists.

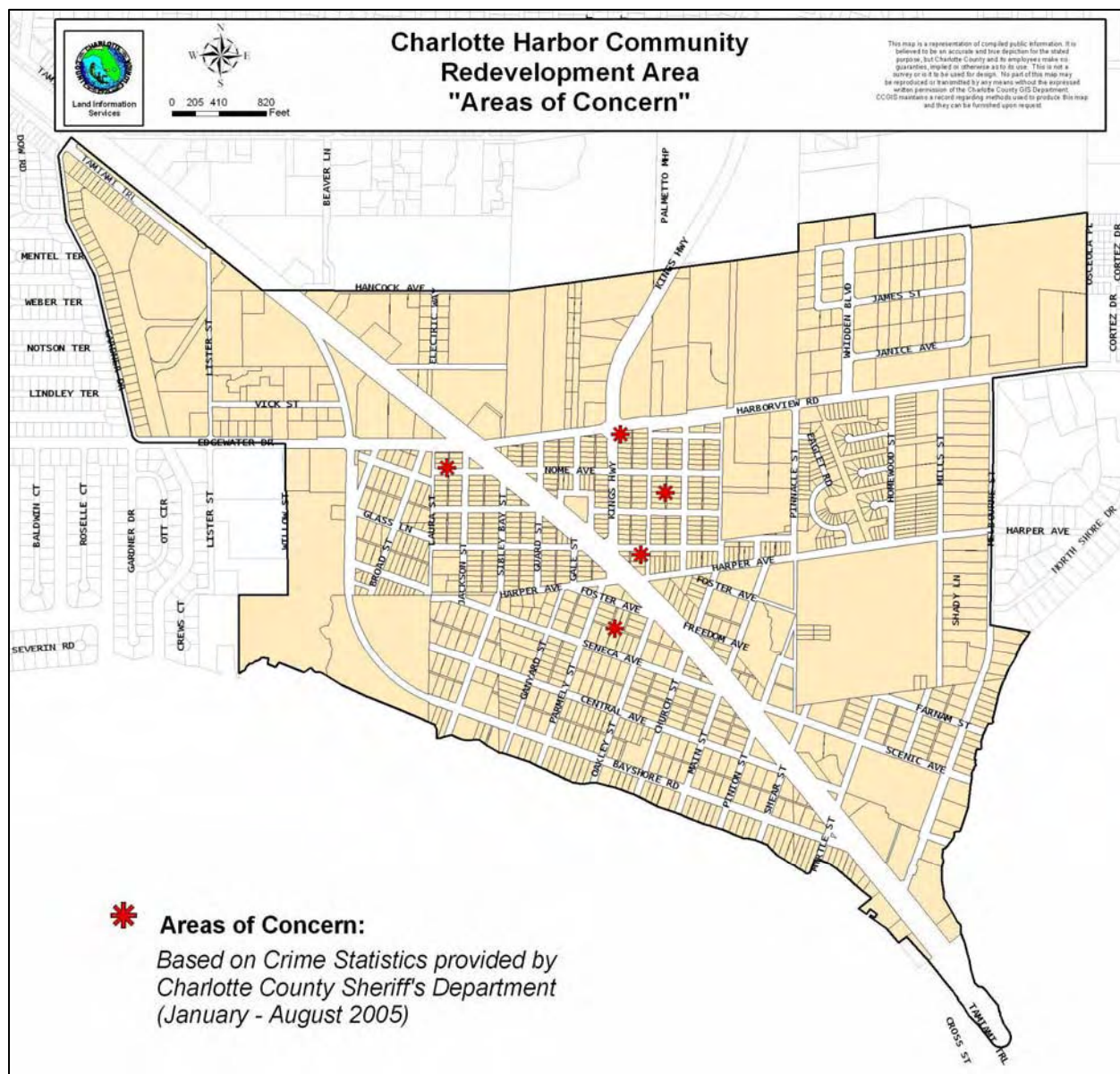


Figure 25: CRA Future Land Use Map illustrates the intended land uses, which includes public parks, recreation, open space and residential uses. This map also depicts the street layout at it currently exists.

Charlotte Harbor Community Redevelopment Plan

Appendix A

R E S O L U T I O N
NUMBER 92- 251

A RESOLUTION OF THE COUNTY OF CHARLOTTE, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; DEFINING THE COMMUNITY REDEVELOPMENT AREA; FINDING THE EXISTENCE OF BLIGHTED CONDITIONS IN THE AREA; MAKING CERTAIN FINDINGS AND DETERMINATIONS; CREATING THE CHARLOTTE COUNTY COMMUNITY REDEVELOPMENT AGENCY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

1. The Board of County Commissioners of the County of Charlotte, Florida, finds the existence of certain blighted areas within the boundaries of the Charlotte Harbor Community Redevelopment Area the area), and determines that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area by a redevelopment agency is necessary and in the best interest of the public health, safety, morals, or welfare of the residents and citizens of the County of Charlotte.

2. This area referred to as Charlotte Harbor Community Redevelopment Area shall be more particularly described in Exhibit A, attached hereto.

3. The Board of County Commissioners has commissioned a study which has confirmed the findings of blight.

4. Conditions are present in the area which are detrimental to the sound growth of the County and which substantially impair or arrest the growth within the area and adjacent territory, and present conditions and uses in the area

7/8/92

Barbara T. Scott, Clerk of the Circuit Court - Charlotte County
File Number: 196948 OR BOOK 1245 PAGE 1882
Recorded: 11-09-92 02:35 P.M.

Recording \$ 33.00
Record Verified: SHARON BORELLI, D.C.

which are detrimental to the public health, safety, morals and public welfare.

5. There is a predominance of inadequate or defective street layout within the area.

6. There is faulty and inadequate lot layout in relation of size, adequacy, accessibility, or usefulness within the area.

7. There are unsafe and unsanitary conditions within the area.

8. There is deterioration of site and other improvements within the area.

9. There exists public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction within the area

10. Action must be taken immediately to prevent further blight and deterioration and to protect and enhance public expenditures previously made by the County in the area.

11. All prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that a redevelopment plan be prepared for the area.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

12. That all of the previous findings set forth above are incorporated herein.

13. For the purpose of this resolution and any community redevelopment project undertaken pursuant hereto, the community redevelopment areas shall be the area more particularly described in Exhibit A (a legal description of the redevelopment area), attached hereto.

14. The County Commission, based upon evidence presented to it and in the public record, does hereby expressly find that blighted areas as defined in Section 163.340(8), Florida Statutes, exist within the community redevelopment area as defined in Section 163.340(10), Florida Statutes, as described in Exhibit A, attached hereto.

15. The County Commission does hereby expressly find that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Paragraph 14 are necessary in the interest of the public health, safety, morals or welfare of the residents of the County of Charlotte.

16. The County Commission does hereby expressly find that it is necessary, appropriate, proper and timely that a community redevelopment agency be created to carry out the community redevelopment purposes of the provisions of Chapter 163 (Part III), Florida Statutes, and other resolutions, ordinances and laws that may be utilized to further the redevelopment within the area described in Exhibit A.

17. This resolution shall take effect immediately upon its passage.

PASSED AND DULY ADOPTED this 3rd day of November, 1992.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By Donald H. Ross
Donald H. Ross, Chairman

ATTEST:

Barbara T. Scott, Clerk of
Circuit Court and Ex-officio
Clerk to the Board of County
Commissioners

By Linda Ansel
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Beth A. Sullivan
Beth A. Sullivan
Assistant County Attorney

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July 22, 1992

CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AGENCY
BOUNDARY

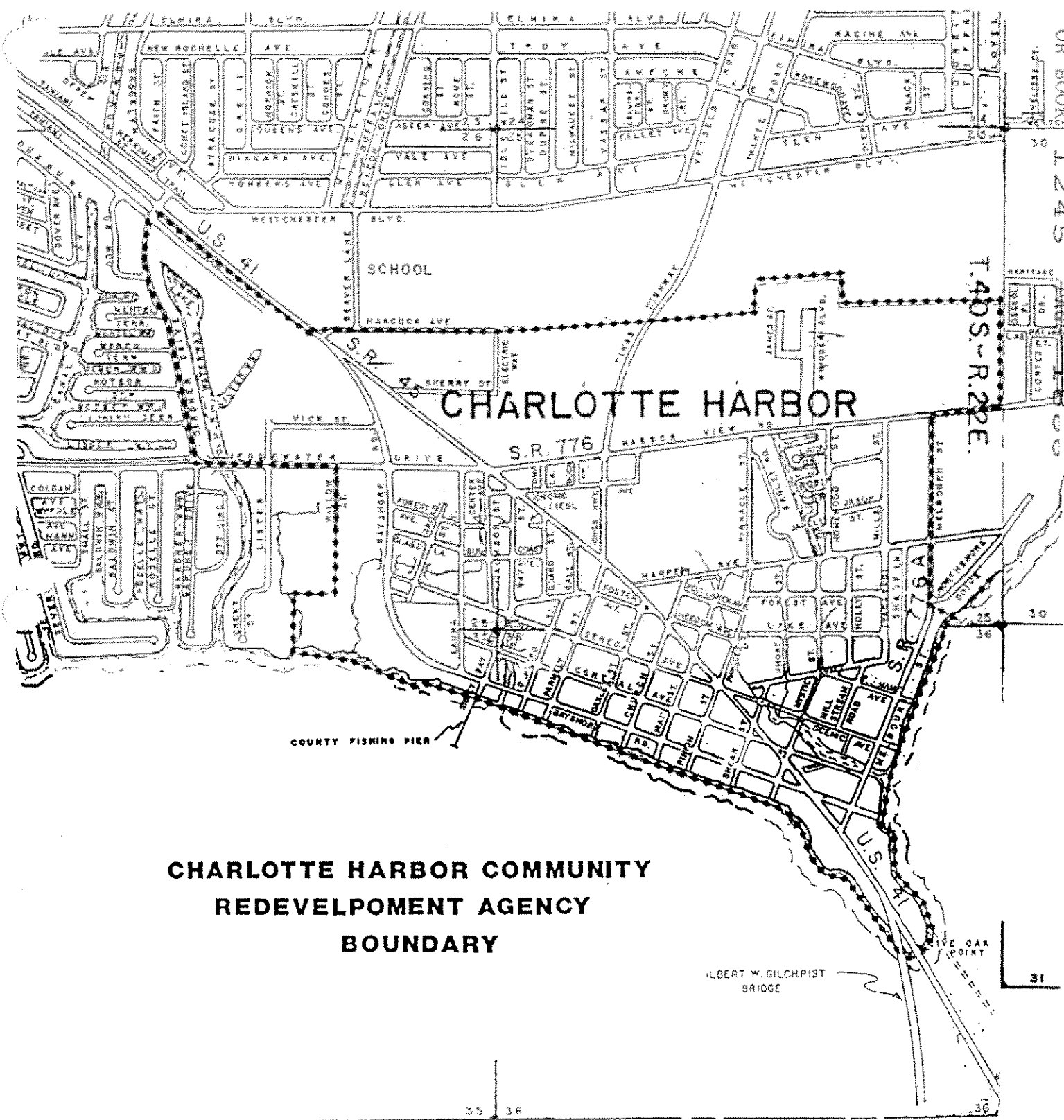
Beginning at the intersection of the southerly Right-of-Way of Tamiami Trail (US41) extended and the Centerline of Gardner Drive extended, as recorded in Plat Book 5, Pages 18A thru 18C of the Public Records of Charlotte County, Florida. Thence southerly along said centerline of Gardner Drive to its intersection with the north line of the south 1/2 of Section 26, Township 40 South, Range 22 East, a.k.a. Centerline of Edgewater Drive. Thence easterly along said north line of the south 1/2 of Section 26, Township 40 South, Range 22 East, to its intersection with the westerly property line of Parcel 14, a.k.a. Edgewater Manor Condominium, as recorded in Condominium Book 1, Pages 27A thru 27J of the Public Records of Charlotte County, Florida. Thence southerly along the west property line of Parcel 14, 1335 feet ± to a point. thence westerly 440 feet ± to a point. Thence southerly 741 feet ± to the north bank of the Peace River. Thence meandering southeasterly and thence northeasterly along said north bank of the Peace River to a point, said point being the southeast corner of the southerly property line of lot 1, Block A, Charlotte Shores No. 1, as recorded in Plat Book 2, Page 83 of the Public Record of Charlotte County, Florida. Thence northwesterly along said southerly property line 321 feet ± to the southwest corner of Lot 1, Block A, Charlotte Shores No. 1. Thence continuing northwesterly 30 feet ± to the intersection of the southerly property line extended and the centerline of Melbourne Street (formerly Harbor Street). Thence northerly along said centerline of Melbourne Drive to it intersection with the centerline of Harborview Road. Thence easterly along said centerline of Harborview Road to its intersection with the east line of Section 25, Township 40 South, Range 22 East. Thence northerly along the east line of Section 25 to the Northeast Corner of the southeast 1/4 of the northeast 1/4 of Section 25, Township 40 South, Range 22 East. Thence westerly along the north line of the southeast 1/4 of the northeast 1/4 to a point, said point being the intersection of the easterly property line of Harbor Industrial Condominium, as recorded in Condominium Book 5, Page 1 of the Public Records of Charlotte County, Florida and the north line of Tract "A" of Whidden Industrial Park First Addition, as recorded in Plat Book 15, Pages 42A and 42B of the Public Records of Charlotte County, Florida. Thence northeasterly along the east line of Harbor Industrial Condominiums 220 feet ± to a point. Thence southwesterly along the north line of Harbor Industrial Condominium 675 feet ± to a point. Thence southwesterly along the west line of Harbor Industrial Condominium 250 feet ± to a point. Said point also being the Northeast corner of the southeast 1/4 of the northwest 1/4 of Section 25, Township 40 South, Range 22 East. Thence westerly along the north line of the south 1/2 of the northwest 1/4 to the northwest corner of the southwest 1/4 of the northwest 1/4 of Section 25, Township 40

OR BOOK 1245 PAGE 1886

southwest 1/4 of the northwest 1/4 of Section 25, Township 40 South, Range 22 East. thence contiuing westerly along the north line of the south 1/2 of the northeast 1/4 of Section 26, Township 40 South, Range 22 East to its intersection with the southerly Right-of-Way of Tamiami Trail (US41). Thence northwesterly along said southerly Right-of Way of Tamiami Trail (US41) to a point. Said point being the point of Beginning.

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T.40S-R.22E.



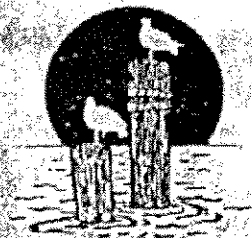
**CHARLOTTE HARBOR COMMUNITY
REDEVELOPMENT AGENCY
BOUNDARY**

ALBERT W. GILCHRIST
BRIDGE

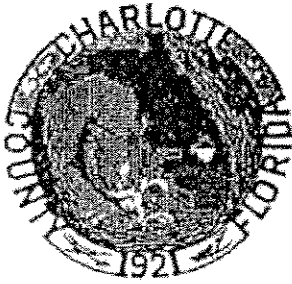
FINDING OF NECESSITY

**CHARLOTTE HARBOR COMMUNITY
REDEVELOPMENT AGENCY**

**** Finding of Necessity ****



**Workshop: Tuesday, October 27, 1992
at 2:00 p.m. - Room 119**



CHARLOTTE COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

Donald H. Ross, Chairman
Bill Burdick **Richard J. Leonard**
Jack Lotz **Wm. D. Noel, Jr.**

Thomas W. Frame, County Administrator

Charles W. Evans **Vincent Amone**
Assistant County Administrators

Planning and Zoning Board

Paula Hess, Chairperson
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Raymond Filschel **Michael Gravesen**

Planning Department

Max Forgey, Planning Director
Nancy Zigo, Executive Secretary

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William Frawley
Elliot Kampert
Michael O'Keeffe
Sheila Ruger
Nancy Wagner
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Socrates Shinas

Drafting Tech II
Lois Kelly

Drafting Tech I
Diane Clim

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Jennifer M. Agarrat

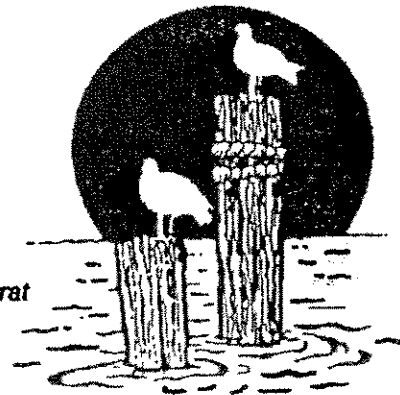


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- Survey and Boundary Map
- Census of Population and Housing Maps

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I INTRODUCTION

PROPOSED CHARLOTTE COUNTY REDEVELOPMENT AGENCY CHARLOTTE HARBOR COMPONENT AREA

Introduction

Objective 10 in the Future Land Use Element of the 1988 Charlotte County Comprehensive Plan states: "Encourage the renewal and redevelopment of blighted areas". The attached documentation demonstrates that Charlotte Harbor, a historic area located with frontage on both the Peace River and Charlotte Harbor, is experiencing a decline in property values, evidencing physical deterioration of structures, lack of sewerage, inadequate fire flow rates, dangerous intersections, and a crime rate proportionately higher than the rest of the county. Charlotte Harbor's location, scenic views, stately trees, Florida bungalow architecture, and its increasingly active and committed residents and business persons, provide an opportunity to work in partnership with the Charlotte County Board of County Commissioners and the Charlotte County community to stimulate the revitalization of this area as a countywide benefit.

Residents have formed an informal self-help group called "Charlotte Harbor Improvement Committee" (CHIC). This group of approximately 30 residents meets monthly and has undertaken several improvement projects. In May 1992 CHIC organized a "Spring Clean-Up" weekend with the cooperation of Charlotte County and Charlotte Disposal Company. Nine tons of trash were removed. Volunteers from CHIC supervised the operation and assisted elderly persons in removing unwanted debris.

During June and July 1992, CHIC worked with the Charlotte County Department of Public Works to identify and clear clogged drainage ditches. Throughout 1992 CHIC worked with the Historic Preservation Council to help identify specific buildings and trees for preservation. The Council has declared Charlotte Harbor to be a "Local Historic District".

The Florida Statutes provide a mechanism for local governments to work in partnership with such community initiatives to undertake community revitalization. The redevelopment mechanism has a variety of tools and methods available to encourage rehabilitation and new development; and provide the necessary infrastructure which benefits the community county-wide. Local governments can design their own revitalization program within the statutory framework, developing a plan which reflects the needs of the neighborhood and community, choosing the projects which best accomplish the goals of the community as expressed in the plan, and choosing the funding sources to implement those projects.

Establishing a Charlotte County Community Redevelopment Agency should be viewed as an opportunity to plan for the enhancement of precious county-wide resources and for tailoring a local revitalization program to the specific needs and approaches acceptable to the Charlotte County community.

Florida Statutes--Objectives for Redevelopment

To encourage local initiative in both downtown and neighborhood revitalization, in 1984 the Florida Legislature amended Section 163.335, Florida Statutes, to include the following primary objectives for redevelopment:

1. To address the physical, social and economic problems associated with slums and blighted areas.
2. To encourage local units of government to improve the physical environment (i.e. buildings, streets, utilities, parks, etc.) by means of rehabilitation, conservation or clearance/redevelopment.
3. To convey to local community redevelopment agencies the powers of eminent domain, expenditure of public funds, and all other general police powers as means by which slums and blighted areas can be improved.
4. To enhance the tax base in the redevelopment area by encouraging private reinvestment in the area and by channeling tax increment revenues into public improvements within the area.
5. To eliminate substandard housing conditions and to provide adequate amounts of housing in good condition to residents of low or moderate income, particularly to the elderly.

In addition, the local CRA is required to "afford maximum opportunity" for private enterprises to participate in the revitalization of the designated area.

Findings of Blight

In order for a local jurisdiction to utilize the mechanism of redevelopment, conditions of blight must be identified in the subject area, and the related findings of blight made by the governing body (Board of County Commissioners). Blight can be defined by one or more of the following factors that impair the sound growth of the County.

- Defective or inadequate street layout;
- Faulty layout in relation to size, adequacy, accessibility, or usefulness;
- Unsanitary or unsafe conditions;
- Deterioration of site or other improvements;
- Tax or special assessment delinquency exceeding the fair value of the land;
- Diversity of ownership or defective titles; and/or
- Inadequate infrastructure to handle the volume of traffic flow.

Documentation of the conditions of blight in the Charlotte Harbor area in each of these categories is attached, and forms the basis for the resolution for Board of County Commissioners' approval, making the findings of blight.

The CRA Plan

Once the governing body has made the findings of blight, established the boundaries of the redevelopment area, and created the Community Redevelopment Agency, the process of planning for the area's revitalization begins. The CRA plan provides the opportunity, not only to cure the conditions of blight, but also to shape the area's future growth in a manner that captures reinvestment confidence to provide clear public benefits such as livable, safe and stable neighborhoods; accessible public amenities (beaches, views, open space, historic and cultural gathering points) economic vitality; and enhanced aesthetics. Ideally, the process involves as broad a representation of community-wide, neighborhood, and business interests as possible, and particularly the active participation of the Board of County Commissioners. The primary activities of this community-based planning process occur in approximately the following sequence:

- Identify the issues and opportunities
- Identify plan objectives
- Develop plan alternatives
- Evaluate the costs and benefits of those alternatives
- Develop the specifics of the preferred alternative
- Develop and prioritize the list of projects and measures to be undertaken to implement the plan
- Identify the available funding sources and evaluate their acceptability and feasibility
- Prepare an implementation plan which coordinates and prioritizes use of available resources

Throughout the plan preparation process, community members can participate through workshops, charrettes, and group and individual discussions. The draft plan must then be reviewed by the Local Planning Agency for consistency with the Charlotte County Comprehensive Plan and finally adopted, in a public hearing, by the Charlotte County Board of County Commissioners in its capacity as the Charlotte County Redevelopment Agency Board.

Redevelopment Implementation Mechanisms

Public Investment

The statutes provide for a CRA to establish a Tax Increment Trust Fund, once a plan is adopted. The Trust Fund is the repository for the tax increment which is the amount of increase in ad valorem tax revenues within the community redevelopment area above a base figure. The base figure is established by "freezing" the tax base for the tax year in which the Trust Fund ordinance is adopted. In the case of Charlotte Harbor, where the tax base has been declining, the amount of tax increment (increase over the base) would be minimal, if any, for several years into the future. Therefore, in planning for public investments in the area, strategies must be developed to combine and leverage other funding sources, such as Federal and State grants and loans, Community Development Block Grant monies, special districts, targeted Capital Improvement Program monies, and possibly tourist tax dollars. If, over time, such reinvestment resulted in a viable tax increment, it could be used for debt retirement, to repay advances from the general fund for earlier improvements, or to fund improvements on a pay-as-you-go basis.

Private Reinvestment

The goal of redevelopment is to stimulate investment confidence and private sector reinvestment in an area in order to serve a public purpose. The following provides a partial list of administrative and financial incentives that can be offered through the redevelopment program to encourage such reinvestment:

- Streamline review and eliminate unnecessary hearings for projects in the redevelopment area that conform to the CRA Plan
- Create zoning overlays to relax development standards to encourage appropriate revitalization of historic structures, or to achieve a public purpose
- Transfer of development rights to protect view corridors or public access to the waterfront
- Assemble parcels
- Provide loan guarantees
- Organize local lending institutions to offer low interest, longer amortization loans for commercial facade improvements and residential renovations
- Create special districts to fund specific improvements - such as a lighting and landscape maintenance district
- Structure and facilitate joint ventures and partnerships
- Form local improvement corporations to manage and steward local redevelopment activities and merchants' associations to facilitate business retention, attraction, and marketing

County-Wide Benefit

Reinvestment in the Charlotte Harbor area has the potential to provide a substantial revenue return to the County in addition to the livability and public amenity returns noted above. Revitalization of this highly visible, strategically located area, particularly when combined with provision of sewers and the planned widening of US 41, has the potential to trigger similar revitalization efforts and new development outside the boundaries, proceeding north along the US 41 corridor, adding substantial value to the county's property values.

New development produces jobs in the local construction industry. Enhanced economic vitality generates increased sales tax and tourist tax revenues, without necessitating the attendant overdevelopment found in other waterfront areas that have experienced market-driven, but unplanned growth.

II | CONDITIONS OF CHARLOTTE HARBOR'S REDEVELOPMENT AREA

CONDITIONS OF CHARLOTTE HARBOR'S REDEVELOPMENT AREA

1. PREDOMINANCE OF DEFECTIVE OR INADEQUATE STREET LAYOUT

The Charlotte Harbor area is one of the oldest neighborhoods in Charlotte County, dating back to the Civil War. It was mainly settled between 1920 to 1970 and is characterized by defective and inadequate street layouts. Problems include a majority of streets that could not be accepted by today's standards, insufficient rights of way, lack of drainage, inefficient connection of residential land uses to public amenities, and lack of sidewalks and lighting.

The principal artery in Charlotte Harbor is US41, a four lane divided highway which effectively splits the neighborhood in half. This highway segment has an actual traffic volume in excess of the level of service adopted in the 1988 Charlotte County Comprehensive Plan. For example, in April 1992, according to the Charlotte County Concurrency Report, the traffic station on US41 between Harbor Boulevard and Harborview had an actual peak season, peak hour count of 4,458 vehicles versus an adopted maximum of 2,900 vehicles. The Florida Department of Transportation has scheduled widening of this highway beginning in 1993. A simultaneous creation of a CRA would help in coordination with Florida Department of Transportation and in local uses of this highway.

According to a September 1992 report from Charlotte County Public Works Department, there are fourteen (14) intersections on US41 in Charlotte Harbor that are inadequate and dangerous, primarily because the intersecting roads are at acute angles. These are shown on map 2. The Charlotte County Public Works Department has recommended that the number of intersections be reduced, and that the remaining intersections be redesigned to reduce congestion and danger. The intersection of Edgewater and Harborview in particular is heavily congested and will become worse as the four-laning of Edgewater, underway in 1992, draws more traffic.

2. FAULTY LOT LAYOUT IN RELATION TO SIZE, ADEQUACY, ACCESSIBILITY OR USEFULNESS

Charlotte Harbor was laid out prior to current minimum lot size and buffering requirements. Consequently, the majority of the lots do not comply with Charlotte County standards. Most properties were platted and built prior to 1950 as small (5 - 10 dwelling units) subdivisions and are nonconforming to existing codes, with regard to setbacks, parking, lot dimensions and lot coverage.

There are approximately 1,042 people in Charlotte Harbor living in 701 dwelling units, according to a census block count from the 1990 U.S. census. Charlotte Harbor is an area of approximately 790 acres. The population and the dwelling units are shown on the enclosed U.S. Census Block Maps.

The lots in Charlotte Harbor are generally smaller than the 10,000+ square foot lots common to adjoining Port Charlotte. Furthermore, the layout of the lots is erratic, since many are platted in small, nonconforming subdivisions that pre-date most of the residential development within Charlotte County.

The following is a sample of lot sizes taken from representative areas in Charlotte Harbor:

<u>Area</u>	<u>Avg. Lot Size</u> <u>(sq. ft.)</u>
Oak Street, north of US41	5,000
Central Avenue, south of US41	11,300
Seneca Avenue area	8,500
Gulf Coast Avenue area	5,900
Bayshore Drive area	8,900
Laura, Seward Street area	8,900
IN CONTRAST TO:	
Typical Port Charlotte Lot 80' x 125' min.	10,000 (min.)

3. UNSANITARY AND UNSAFE CONDITIONS

There are three areas of concern in this category: (A) the lack of central sewers and the attendant septic/flood problem; (B) fire suppression and water supply; and (C) crime.

(A) The lack of public sewer facilities in most of Charlotte Harbor constitutes an unsanitary and unsafe condition. The entire area of Charlotte Harbor, east of Lister Street and south of Hancock Avenue, has no sewerage. The southern side of US41, to Bayshore, experiences frequent flooding and septic overflow.

This frequent flooding, along with the low elevation and high water table, prevents the septic drainfields from properly functioning. The health effects are summarized by a Department of Health and Rehabilitative Services memorandum, dated 8/11/92, by Mr. Robert Feldman, Environmental Supervisor:

The extension of central sewer and water lines into the Charlotte Harbor area for commercial and residential properties should be given a high priority. The subdivision of Charlotte Harbor, both east and west of US41, is located within the ten (10) year flood zone as indicated by the Federal Emergency Management Agency (F.E.M.A.). The standards for septic system installations, Chapter 10D-6, Florida Administrative Code (F.A.C.), requires that the bottom surface of the

drainfield trench or absorption bed shall not be subject to flooding based on 10 Year flood elevations. Additionally, the water table elevation at the wettest season of the year is required to be at least 24 inches below the designed elevation of the bottom surface of the drainfield trench or absorption bed.

Most buildings in Charlotte Harbor are connected to septic systems that are quite old and outdated. Septic system failures are frequently reported in that area for residences, motels, restaurants and other commercial properties.

The lack of central sewer limits economic expansion along US41. This problem was noted in the Giffels-Webster Engineers' "25 Year Water and Sewer Planning Study", May 1991, which states:

4.63 'PRIORITY AREAS' FOR CONNECTION TO CENTRAL SEWERS

The Charlotte County Public Health Unit has identified several non-sewered areas, mostly zoned for multi-family residential, commercial and industrial uses as "Priority Areas" in dark shading. The following listing of "Priority Areas" has been provided by the Public Health Unit, Environmental Health Section:

* INDUSTRIAL PARKS

Port Charlotte Industrial Park - Streets of Market Circle and Enterprise Drive (existing GDU sewer in close proximity)

Charlotte Trade Center - US41 frontage (existing sewer in close proximity)

Whidden Industrial Park - Streets of James, Janice and Whidden Boulevard

Aztec Industrial Park Charlotte Harbor North
Harborview Road

Harbor Executive Park - Streets of Electric Way, Sherry and Hancock Avenue (existing GDU sewer in close proximity)

* COMMERCIAL BUILDINGS, COMMERCIAL STRIP MALLS AND PLAZAS

All commercial properties bordering US41 from Charlotte Harbor through Murdock. These properties include a vast array of businesses involving food service, health care and other professional services to the public. Sewer lines, lift stations and forcemains presently exist nearby in numerous locations along US41. Expansions of existing businesses and the establishment of new

'businesses are presently limited due to a lack of central sewer availability. Viable economic development of the area is adversely impacted because of a lack of central sewers. Numerous septic system failures have occurred among the many restaurants, delicatessens, offices and plazas which are connected to aging septic systems. The potential for groundwater contamination from the improper disposal of toxic, hazardous, or industrial wastes through a septic system can be eliminated by connection to central sewers.

Of the five industrial parks noted above, the last four are in or near Charlotte Harbor.

The entire southern half of Charlotte Harbor is situated near or below Zone A11 on the Federal Emergency Management Agency's Flood Insurance Rate Map. This means that the area is in a special flood hazard zone and requires new buildings to be constructed with unusually high elevations (in excess of 10 ft).

The Charlotte Harbor Water Association held the franchise for sewers in Charlotte Harbor for many years, but built none. A few commercial ventures have had sewer extensions built by special arrangement with the former General Development Utilities (GDU). Since Charlotte County took over GDU in 1991, the County gained the certification to extend sewers into Charlotte Harbor.

The construction of a central sewer system is critical to the health and economy of Charlotte Harbor and has been an expressed objective of the Charlotte Harbor Improvement Committee (CHIC) as well as the local business community.

The construction of a central sewer is also an objective of the 1988 Charlotte County Comprehensive Plan, under the Sanitary Sewer and Potable Water Sub-Element:

OBJECTIVE 2:

The extension of sewer and water lines and the expansion of treatment plants, should be utilized to promote compact, economically efficient, and environmentally safe development.

In addition, Objective 3 and Policies 3.1, 3.2, and 3.2(a) from the same sub-element address "areas in which central sewers are most needed" and in particular, ".... to achieve the provision of centralized sanitary sewer service to all areas within 150 feet of tidal waters by 1995." This applies to the Bayshore Drive and Melbourne Street areas of the Charlotte Harbor area.

The attached memorandum by Brian Hammons of the Charlotte County Zoning Department is an analysis of the Conditions of Blight from a zoning viewpoint.

OBJECTIVE 3:

By 1990, the County will facilitate the extension of centralized sanitary sewer facilities within the urban service area.

Policy 3.1:

By 1989, identify areas in which central sewers are most needed. Factors such as the proximity to estuarine waters, age of septic systems and density of septic systems will be used to identify areas in need of central sewers.

Policy 3.2:

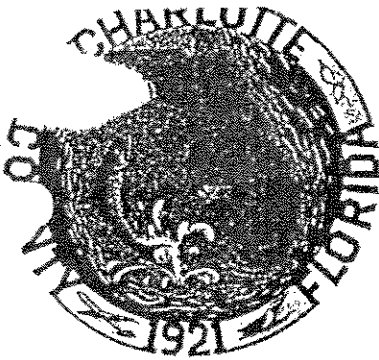
In 1989, commence the necessary engineering studies for the extension of centralized sanitary sewer facilities to the areas selected for the extension of centralized sewers. The study should include the phasing and timing of the selected projects.

Policy 3.2(a):

By the end of 1989 the County shall develop a phased plan that is in cooperation with utilities to achieve the provision of centralized sanitary sewer service to all areas within 150 feet of tidal waters, implementation of this plan shall begin by 1990 and all areas within 150 feet of tidal waters shall be served by 1995.

This plan should also include an assessment of the feasibility of requiring mandatory connection to centralized sanitary or water facilities where connections to such facilities are located within 500 feet of development.

(B) There is a problem with water pressure for fire suppression. Three large commercial projects in the 1980's were removed from the franchised area served by Charlotte Harbor Water and transferred to General Development Utilities (now Charlotte County Utilities) due to the lack of available water for fire protection, as defined by the Fire Prevention Ordinance. Furthermore, Charlotte County Fire Department has expressed concern about general water pressure for fire fighting in Charlotte Harbor, since static water pressure is approximately 10% below the County norm, and the 6" and 8" lines which serve it are too small. The attached memorandum from Bob Logan dated July 16, 1992, summarizes the problem:



COUNTY of CHARLOTTE

Charlotte County Fire Rescue Department Emergency Medical Services

22429 Edgewater Drive
Punta Gorda, Florida 33980
813-743-1367

TO: Robert J. Lani, Fire Chief/Acting EMS Director
FROM: Bob Logan, Assistant Fire Chief *BL*
DATE: July 16, 1992
SUBJECT: Charlotte Harbor CRA

As per the memo received from Mr. Evans, Assistant County Administrator concerning the Charlotte Harbor Redevelopment, several questions were raised that have been addressed by this office with the following results;

1.	Number of Fires:		
	A. Structural fires	-	13
	B. Brush/trash fires	-	23
	C. Vehicle fires	-	7
	D. Vehicle accidents	-	19
	E. L.P. leaks	-	3
	F. Automatic alarms	-	28

2. Fire Prevention Activities:

There have been 114 inspections to date, of those 50 passed on the first visit with 64 failing. The 64 failures have either been corrected on the first or second follow-up visit.

There is an additional concern I have concerning any redevelopment for Charlotte Harbor and that is the water supply available for fire protection. This is a very lengthy item that should receive attention early in the fact finding period.

BL/blp

(C) The crime problem is exceptionally acute in Charlotte Harbor compared to Charlotte County as a whole. The Charlotte County Sheriff's Department uses a grid system to record "Reportable Property Crimes", which are: stolen autos, hold-ups, drug arrests, and breaking and entering of residences, businesses and vehicles. During the period of January 1, 1992 through August 10, 1992, Charlotte Harbor had 70 Reportable Property Crimes or 7.2 percent of the total for Charlotte County (excluding the City of Punta Gorda, which has its own Police Department). During the period January 1 through August 12, 1992, the Charlotte County Sheriff's Department reported a total of 967 reportable crimes in Charlotte County as a whole, including Charlotte Harbor. The ratio of crimes to population was approximately .0672 in Charlotte Harbor, versus a ratio of .0087 in Charlotte County. In summary, there is about seven times more crime per capita in Charlotte Harbor than the average for the County. These facts are abundantly obvious to the residents of Charlotte Harbor and through a regular reading of the local newspaper. The Charlotte County Sheriff's Department reports that the January to August period represents a typical crime rate for Charlotte Harbor.

Crime has been a long term problem for Charlotte Harbor. The residents feel that there are many causes, but the high incidence of transiency is one of the most commonly stated causes according to CHIC. This problem is directly related to the deterioration in the neighborhood through absentee ownership and high rental turnover.

4. DETERIORATION OF SITE OR OTHER IMPROVEMENTS

Commercial properties have begun to deteriorate in Charlotte Harbor. This phenomenon was reported in the Economic Development Workshop given on June 25, 1991, by the Charlotte County Planning Department, sponsored by the Board of County Commissioners. The subsequent Economic Development Report documented sixteen randomly selected businesses in Charlotte Harbor which had experienced either a static or deteriorating property valuation between 1989 and 1991. During that period, any decline in property valuation was an abnormality in Charlotte County, which was then experiencing general increases in valuation. Since the 1991-1992 economic downturn, the problem with property values in Charlotte Harbor has worsened. (The report on the sixteen businesses is found as Enclosure 1, at the end of this study.)

The Charlotte Harbor Property Appraiser made an analysis of the 830 parcels lying within Charlotte Harbor, which include all commercial, governmental and residential properties, with these results:

Charlotte Harbor

Certified 1991 Taxable Valuation = \$80,900,025
Certified 1992 Taxable Valuation = \$80,766,232

These figures indicate a decline in taxable valuation of .16%, whereas Charlotte County as a whole had an increase in taxable property valuation of .52%, as follows:

Charlotte County (including Charlotte Harbor)

Certified 1991 Taxable Valuation = \$5,916,963,606
Certified 1992 Taxable Valuation = \$5,947,911,444

Charlotte County has experienced much higher growth rates in taxable valuation in recent years:

Charlotte County Taxable Value

<u>Year</u>	<u>% Increase Over Prior Year*</u>
1988	+ 11.3%
1989	+ 14.7%
1990	+ 23.1%
1991	+ 12.7%
1992	+ .52%

*Source: Summary of Charlotte County Tax Rolls

The deterioration of Charlotte Harbor has come to the attention of the residents, who formed an informal self-help group in 1991 called "Charlotte Harbor Improvement Committee" (CHIC). The Committee meets monthly, with about thirty members. It is dedicated to doing infrastructure improvements, such as:

In May 1992, CHIC organized a weekend "Spring Clean-Up", with the cooperation of Charlotte County and Charlotte Disposal Company. Nine tons of trash were removed. Volunteers from CHIC supervised the operation and assisted the elderly in removing unwanted debris. [See attached photos.]

During June and July 1992, CHIC worked with Charlotte County Department of Public Works to identify and clear clogged drainage ditches. This has been a continual problem in Charlotte Harbor and is documented in the 25 year Water and Sewer Planning Study by Giffels-Webster Engineers, Inc., September 1991.

Throughout 1992, CHIC worked with the Historic Preservation Council to help identify specific buildings and trees for preservation. The Council has declared Charlotte Harbor to be a "Local Historic District".

5. TAX OR SPECIAL ASSESSMENT DELINQUENCY EXCEEDING THE FAIR VALUE OF LAND

During the current tax year, there are approximately 93 tax delinquencies in the Charlotte Harbor Area. This represents a higher than normal incidence of delinquencies, when compared to similar areas in Charlotte County.

6. DIVERSITY OF OWNERSHIP OR DEFECTIVE OR UNUSUAL CONDITIONS OF TITLE WHICH PREVENT THE FREE ALIENABILITY OF LAND WITHIN THE DETERIORATED OR HAZARDOUS AREA

For purposes of this study, data are unavailable for this topic.

7. AN AREA IN WHICH THERE EXISTS FAULTY OR INADEQUATE STREET LAYOUT; INADEQUATE PARKING FACILITIES; OR ROADWAYS, BRIDGES, OR PUBLIC TRANSPORTATION FACILITIES INCAPABLE OF HANDLING THE VOLUME OF TRAFFIC FLOW INTO OR THROUGH THE AREA, EITHER AT PRESENT OR FOLLOWING PROPOSED CONSTRUCTION.

The Charlotte County Concurrency Management Report of July 1992 lists the following actual level of service vs. those adopted by the 1988 Comprehensive Plan:

<u>Segment</u>	<u>Actual Volume (PK Season/ PK Hour)</u>	<u>Adopted Capacity</u>	<u>Actual/ Adopted Ratio</u>	<u>Adopted LOS</u>	<u>Actual LOS</u>
Harbor to Harborview	4,458	2,900	1.54	D	F

This segment is scheduled for capital improvement, along with the rest of US41, by FDOT, within the next three years.

The Charlotte Harbor area is characterized by faulty or inadequate street layout. The intersections with US41 are at acute angles, causing an abnormal entry/exit situation. The streets within most of Charlotte Harbor are inadequate in size, construction and drainage. This general opinion is from the Charlotte County Public Works Department. Both that Department and the Florida Department of Transportation have pointed out the irregular street layout as being a cause of congestion and accidents.

following intersections are particularly dangerous to motorists:

- (a) Edgewater and Bayshore
- (b) Edgewater and US41
- (c) Melbourne and US41

The reason these intersections are dangerous is that their design, like the rest of the US41 intersections in Charlotte Harbor, predates modern highway design concepts for safety and ease of entry/exit. These streets experience heavy traffic, so their inadequacy becomes problematic. However, if any of the other US41 intersections were more heavily stressed, they, too would become serious traffic problems.

There is a higher than average rate of accidents on US41 in Charlotte Harbor because of the many acute angle intersections. According to a report from the Florida Department of Transportation Safety Office, the Charlotte Harbor area has a consistently higher accident rate than comparable stretches of US41. Recent examples of "long-form" crash reports, that is accidents with property damage, are as follows:

Comparison of Property Damage Accidents

	FDOT Road Segment 16 (Charlotte Harbor, US41 <u>from Bayshore to Harborview</u>)	FDOT Road Segment 17 (US41 from Harborview to <u>to one mile north</u>)
1990	34	22
1991	31	28

III THREE YEAR COMPARISON OF LAND VALUES

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1

Three Year Comparison Of Land Values

Planning Department analyzed the property values of sixteen large businesses on or near Route 41 in the Charlotte Harbor area. These were chosen at random. The objective was to see if the trend of increased valuation -- common to most of Charlotte County and particularly Port Charlotte -- was true for Charlotte Harbor.

Analysis reveals that a static or declining land valuation is evident in Charlotte Harbor, based on this admittedly small sampling. The trend is supported by Mike O'Keeffe's research in talks with business people and realtors in Charlotte Harbor.

By contrast, the general trend in the rest of Charlotte County has been towards increasing land valuation. If this abnormal downward valuation exists on a wide basis, or if it is small, but indicative of future trends, then it portends serious problems for Charlotte Harbor.

Three Year Comparison Of Land Values

Parcel #	Business Name	1990	1991	1992	Decreased	Stayed Same
86-917-0-1	Smith/New Image	41,200	40,800	40,800	X	
86-907-8-3	Fish Cove Adventure Golf	384,990	384,990	384,990		X
86-910-8-8	Weaver, Gerald / Bayshore Motel	145,236	145,236	145,236		X
86-919-0-9	Chevron	142,225	136,858	136,858	X	
86-920-0-6	Century 21 Aaward Realty	97,965	88,168	88,168	X	
86-921-0-5	Axtell's Auto Service	88,640	79,776	79,776	X	
77-293-4	Overman/Dumas Concrete	—	10,000	10,000		X
77-295-0-2	Isley Auto/Maxim TV	—	82,237	82,237	X	
70-672-2-8	K-Mart/Desguin	763,899	763,899	763,899		X
70-672-0-0	Town & Country Shopping Ctr.	949,987	882,131	882,131	X	
97-265-0-6	Arby's/Bally Co.	262,968	262,968	262,968		X
97-266-0-5	Marker Lounge	51,300	45,900	45,900	X	
97-270-0-4	Golden City Restaurant	203,250	182,925	182,925	X	
97-276-0-3	Fat Boys Barbecue	206,870	186,183	186,183	X	
97-289-0-8	McDonough's Plumbing	226,425	226,425	226,425		X
97-292-0-3	Harborview Plaza	219,165	131,499	131,499	X	

Source: Charlotte County Property Appraiser

IV TAX DIFFERENTIAL ANALYSIS

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CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AREA

Tax Differential Analysis

Year	Charlotte Harbor Taxable Value	Increment		General Fund Millage	General Fund		General Fund On Frozen Taxable Value	Annual		Cumulative
		Frozen Tax Base	Above Frozen Tax Base		On Current Taxable Value	On Frozen Taxable Value		Tax Increment Revenue	Tax Increment Revenue	
1992	\$80,766,232	\$80,766,232	\$0	4.3856	\$354,208	\$354,208	\$0	\$0	\$0	\$0
1993	\$81,573,894	\$80,766,232	\$807,662	4.3856	\$357,750	\$354,208	\$354,208	\$3,365	\$3,365	\$3,365
1994	\$82,389,633	\$80,766,232	\$1,623,401	4.3856	\$361,328	\$354,208	\$354,208	\$6,764	\$6,764	\$10,129
1995	\$84,861,322	\$80,766,232	\$4,095,090	4.3856	\$372,168	\$354,208	\$354,208	\$17,061	\$17,061	\$27,190
1996	\$87,407,162	\$80,766,232	\$6,640,930	4.3856	\$383,333	\$354,208	\$354,208	\$27,668	\$27,668	\$54,858
1997	\$90,029,377	\$80,766,232	\$9,263,145	4.3856	\$394,833	\$354,208	\$354,208	\$38,593	\$38,593	\$93,452

Scenario assumptions of the proposed Charlotte Harbor CRA:

Charlotte Harbor Taxable Value - Assumes a 1% annual increase in property values has been applied to the years 1993 and 1994, and a 3% increase has been applied to the years 1995 through 1997.

2. Frozen Tax Base - Assumes the Community Redevelopment Plan and Redevelopment Trust Fund Ordinance is adopted in 1992, freezing the 1992 Preliminary
3. Increment above the Frozen Tax Base - is the annual difference between the current year taxable value and the frozen tax base.
4. County-Wide Millage Rate of 4.3856 is based on the 1992 General Revenue Rate of 3.5345, COCT rate of .5150, Transportation Trust Fund rate of .2061, and the County Health Department rate of .1300. It is assumed that the millage rate remains the same through 1997.
5. General Fund On Current Taxable Value - is the amount of taxes available to the County General Fund based on the current taxable value times the current millage rate. These funds would be available to the General Fund if the Redevelopment Trust Ordinance was not established.
6. General Fund on Frozen Taxable Value - is the amount of taxes levied on the frozen tax base which will continue to be deposited into the General Fund after the establishment of a Redevelopment Trust Fund, assuming a constant millage rate of 4.3856.
7. Annual Tax Increment - The increment is the difference between the General Fund on Current Taxable Value and the General Fund on Frozen Taxable Value. Per Florida Statute 163.95 of the increment is deposited into the Redevelopment Trust Fund.

Source - Charlotte County Department of Planning, October 1992

Relationship of TIF Revenues to the County General Fund

YEAR	TIF REVENUES	COUNTY TAXABLE VALUE	COUNTY GENERAL FUND	TIF REVENUES COUNTY GENERAL FUND	VALUE OF ONE MILL	ANNUAL MILLAGE EQUIVALENT OF TIF REVENUES
1992	\$ 0	\$ 5,947,911,444	\$ 28,085,160	\$ 5,947,911	0	0.0006
1993	3,965	6,007,390,558	28,346,012	0.01%	6,007,391	0.0011
1994	6,784	6,087,464,464	26,609,472	0.03%	6,087,464	0.0028
1995	17,081	6,249,488,398	27,407,758	0.06%	6,249,488	0.0044
1996	27,868	6,436,973,050	28,229,989	0.10%	6,436,973	0.0060
1997	\$ 38,593	\$ 6,630,082,241	\$ 29,076,889	0.13%	\$ 6,630,082	

Footnotes:

Tax Increment Revenues are estimates and based on assumptions.

Anticipated County General Fund is based on the same property value increase as proposed for Charlotte Harbor, a 1% increase from 1992 through 1994 and a 3% increase from 1995 through 1997.

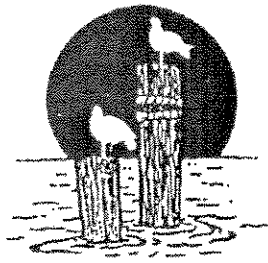
Annual millage equivalent of TIF revenues is based on the TIF increment of a particular year and its relationship to the projected value of one mill.

The annual millage rate of 4.33856 is assumed to be constant from 1982 through 1997.

V

**CHARLOTTE HARBOR TAXABLE VALUATION
(v. CHARLOTTE COUNTY) - Graph**

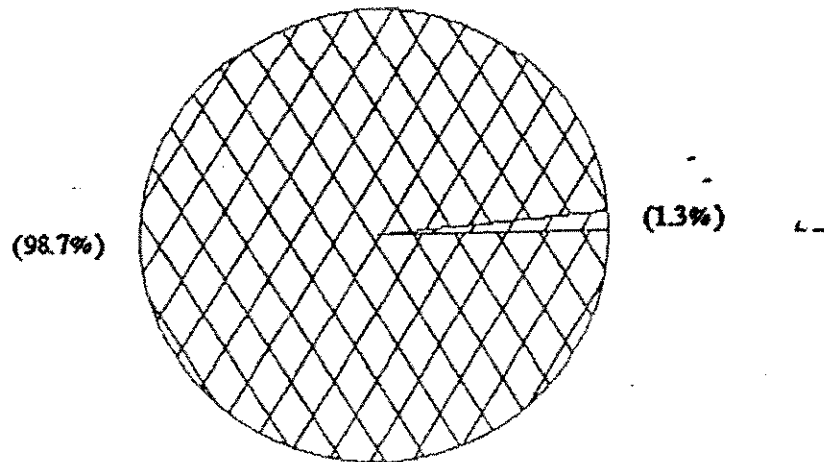
4. -



**Charlotte Harbor
Taxable Valuation
80,766,232**

**Charlotte County
Taxable Valuation
(including Charlotte Harbor)
5,947,911,444**

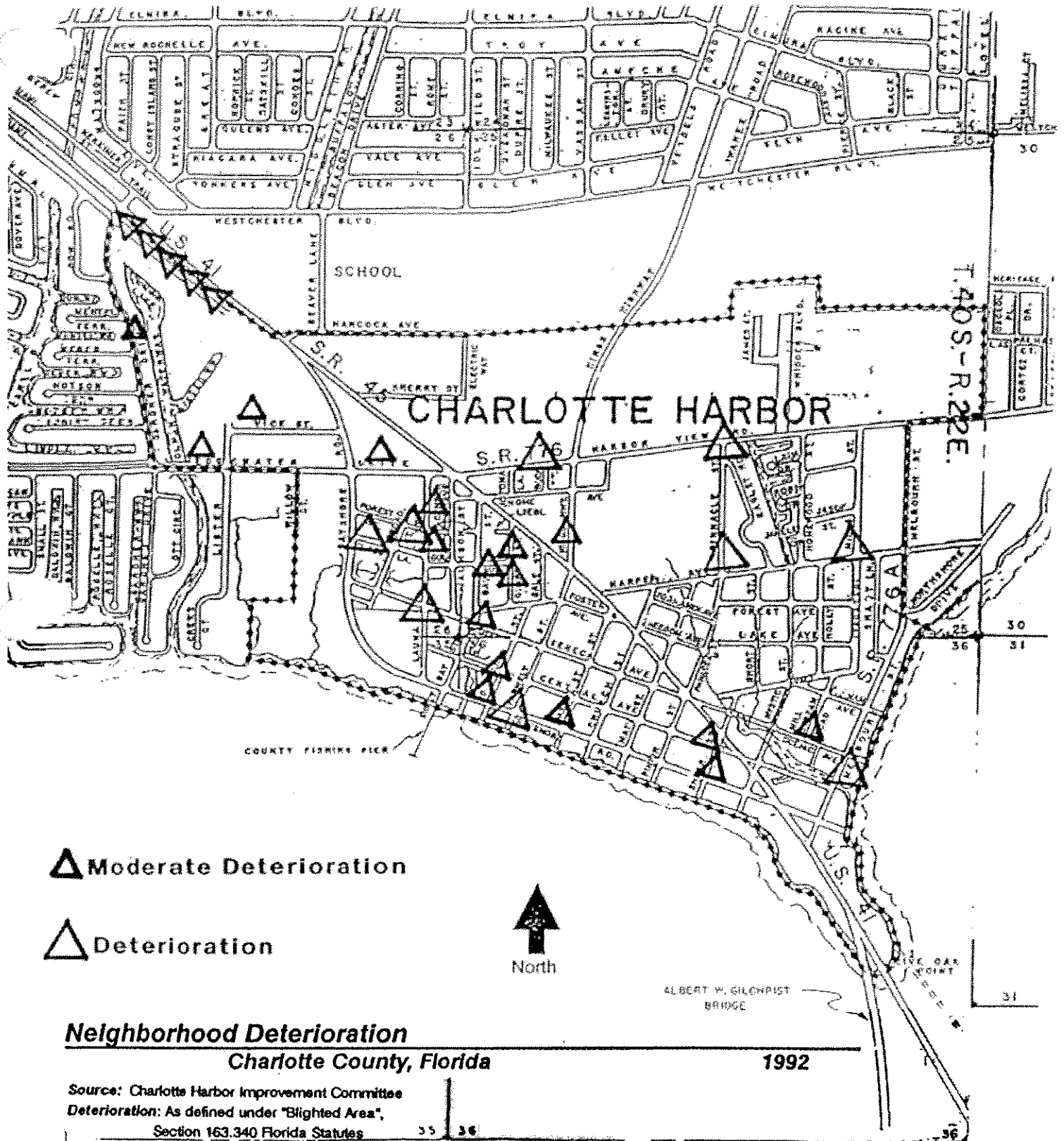
Charlotte Harbor Taxable Valuation, As Portion of County's Whole



VI MAPS:

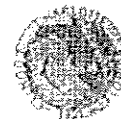
- Maps 1-7, Conditions of Blight**
- Survey and Boundary Map (with covering Memo)**
- Census of Population and Housing Maps**

Project: C.R.A. Finding of Necessity

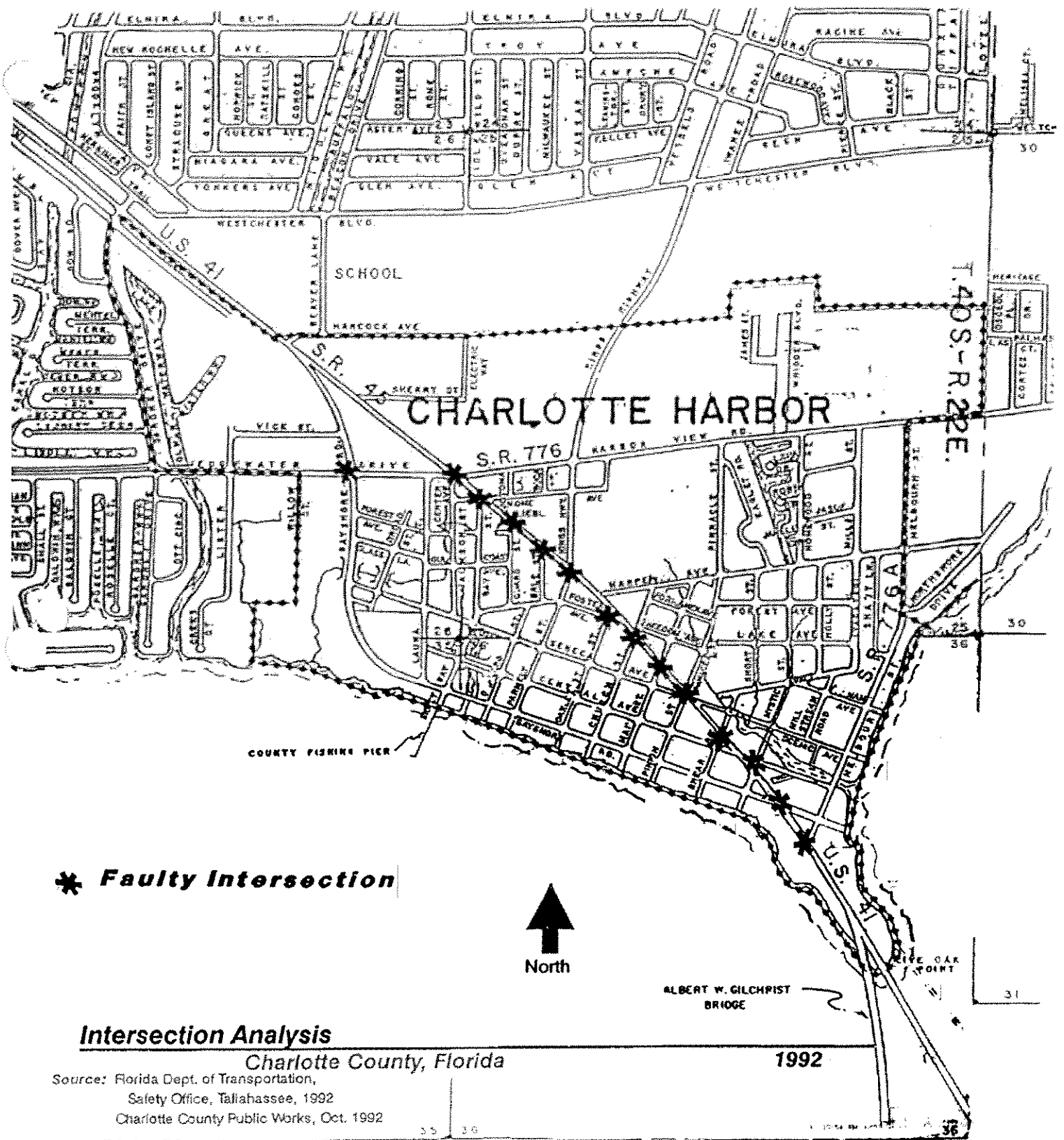


MAP 1

Charlotte County Planning Department



Project: C.R.A. Finding of Necessity

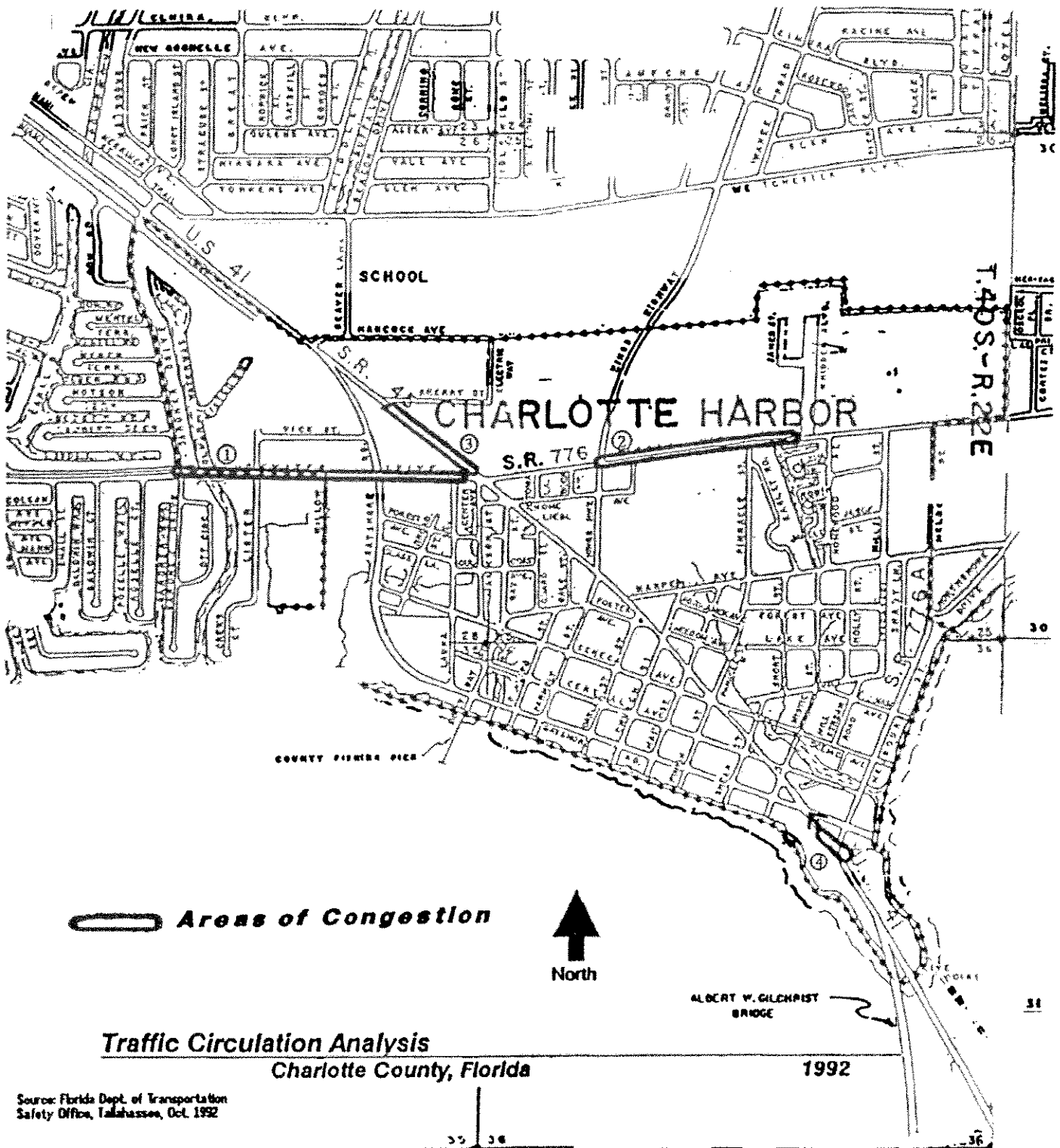


MAP 2

Charlotte County Planning Department



Project: C.R.A. Finding of Necessity

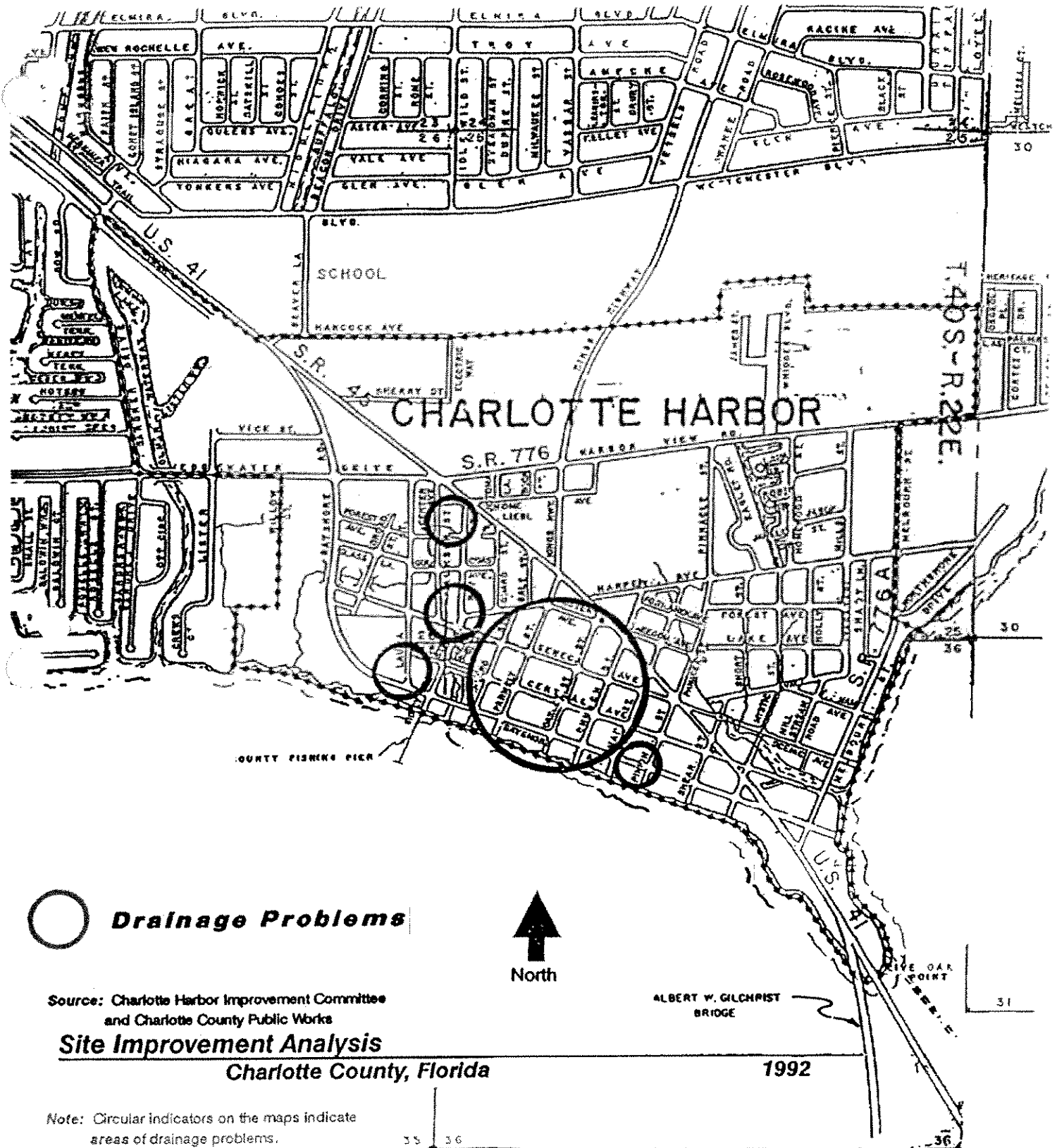


MAP 3

Charlotte County Planning Department

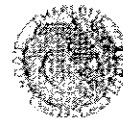


Project: C.R.A. Finding of Necessity

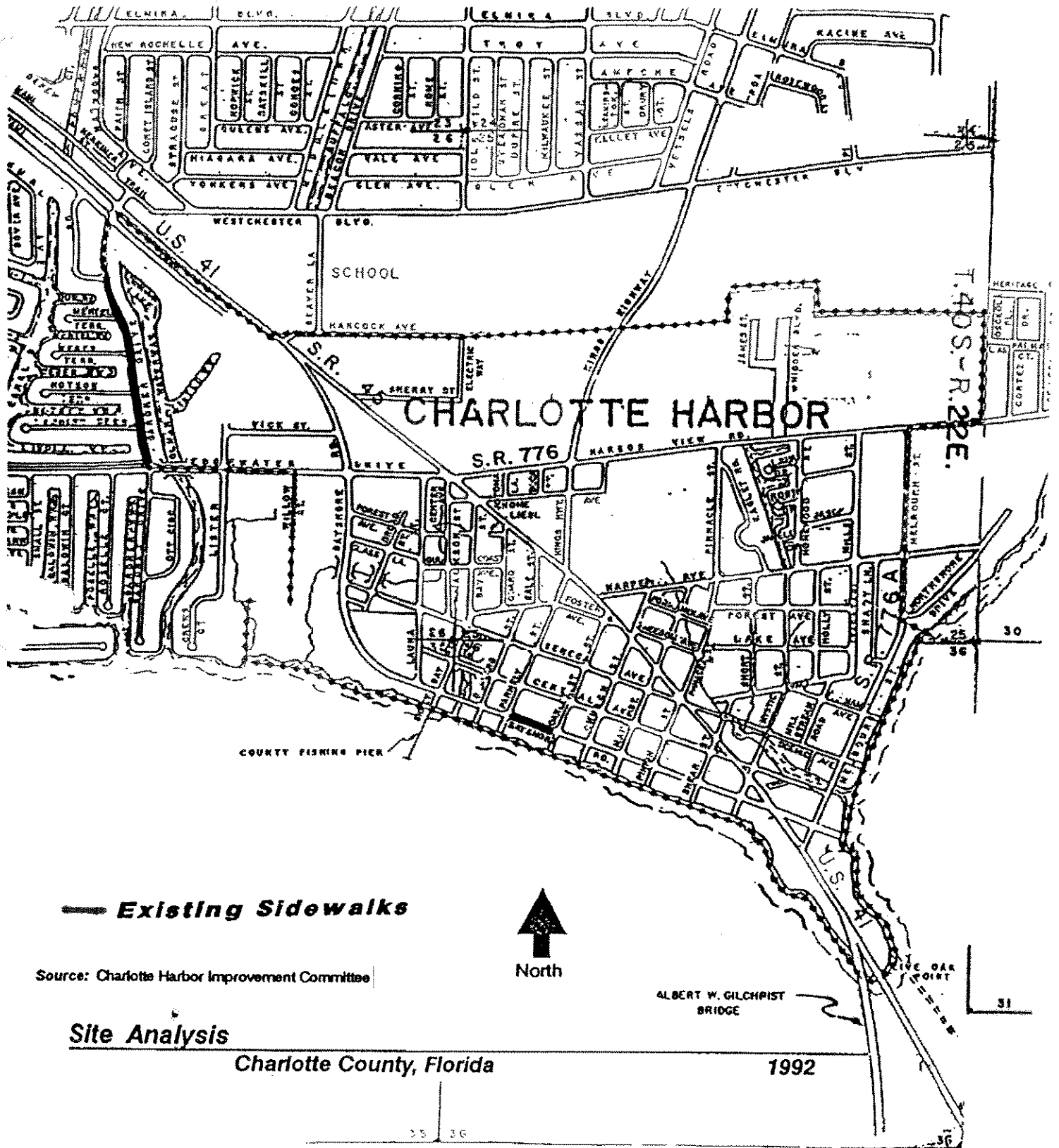


MAP 4

Charlotte County Planning Department

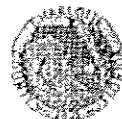


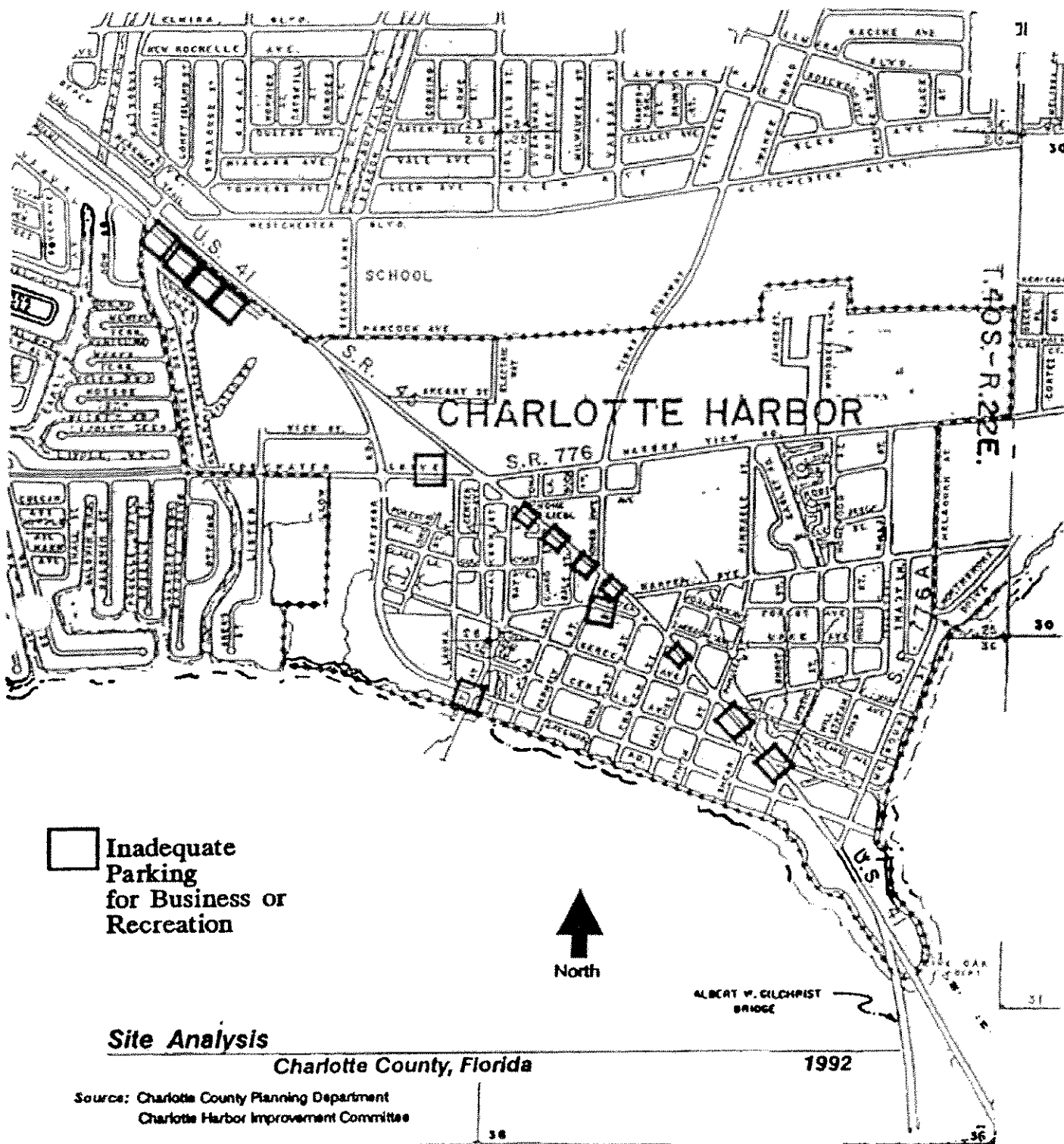
Project: C.R.A. Finding of Necessity



MAP 5

Charlotte County Planning Department





COUNTY OF CHARLOTTE
DIVISION OF PUBLIC WORKS

SURVEY DEPARTMENT

Edward J. McDonald, P.L.S., County Surveyor

MEMORANDUM

July 27, 1992

TO: MAX FORGEY, Planning Director

FROM: Edward J. McDonald, P.L.S., County Surveyor *EJ McDonald*

RE: Charlotte Harbor CRA Boundary

Recently, we received a request from Assistant County Administrator Charles W. Evans to assist your department in preparation of a legal description of the proposed boundary of the Charlotte Harbor CRA.

After meeting with Michael O'Keefe of your staff to clarify several vague areas, we prepared the attached description and illustrated sketch map. If you wish to make any changes to this description or map, please let us know and we will do so.

EJM/bfp

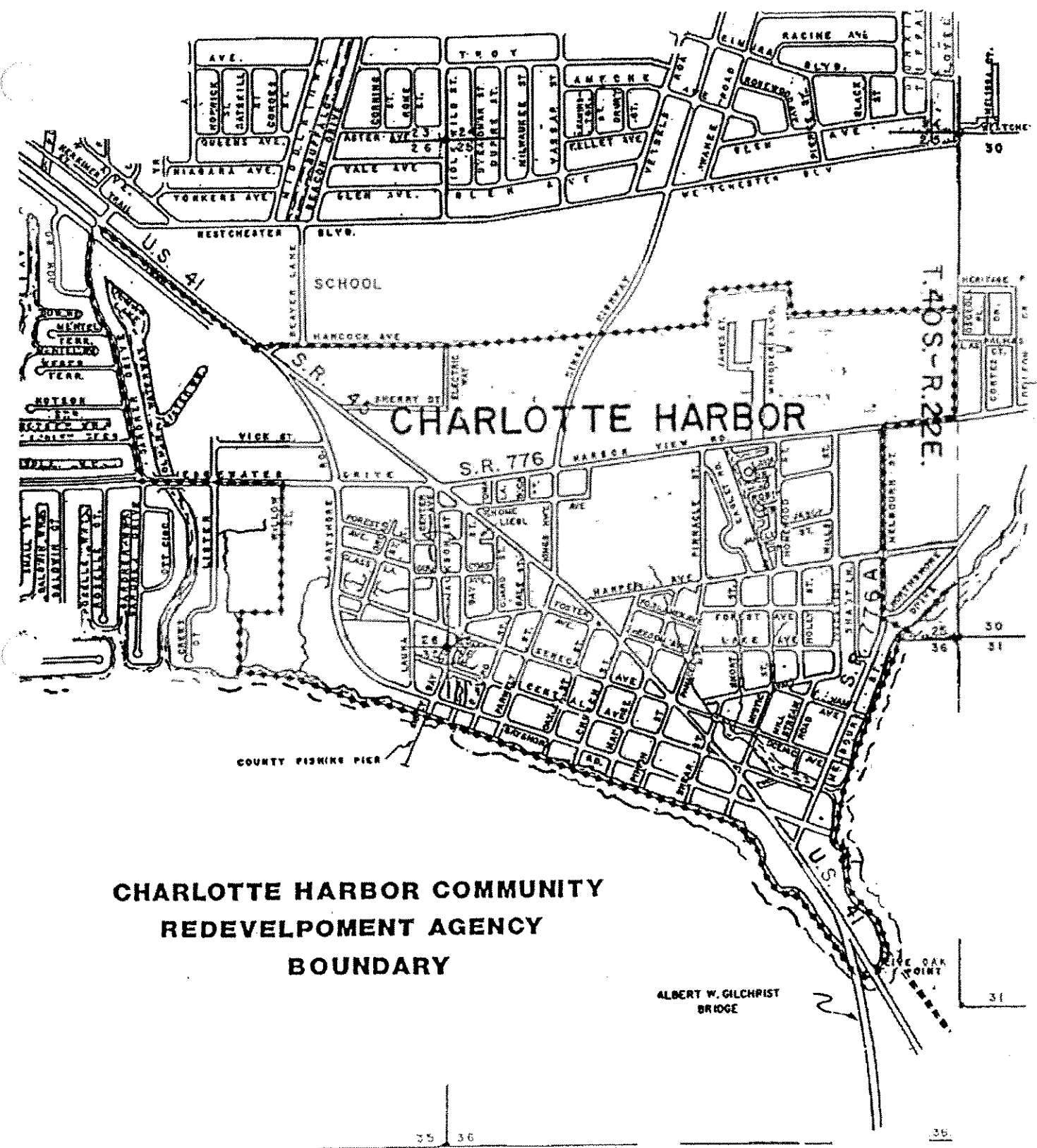
cc: Charles W. Evans, Ass't. County Administrator
Thomas M. Wilcox, P.E., Director of Public Works
Jim J. Byrd, P.E., P.L.S., County Engineer

Attachments

RECEIVED

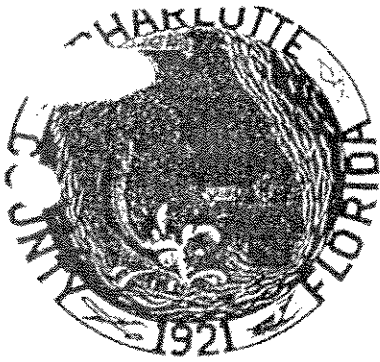
JUL 28 1992

CHARLOTTE COUNTY
PLANNING DEPT.



**CHARLOTTE HARBOR COMMUNITY
REDEVELOPMENT AGENCY
BOUNDARY**

ALBERT W. GILCHRIST
BRIDGE



COUNTY OF CHARLOTTE

ZONING DEPARTMENT

CHARLOTTE COUNTY ADMINISTRATION CENTER
18500 MURDOCK CIRCLE
PORT CHARLOTTE, FLORIDA 33948-1094
(813) 743-1240
FAX (813) 743-1598

ENGLEWOOD OFFICE
6868 SAN CASA DRIVE
ENGLEWOOD, FLORIDA 34224
(813) 474-4889

MEMORANDUM

TO: Michael O'Keeffe, Planner II

FROM: Brian S. Hammons, Chief Planner *BSH*

DATE: August 20, 1992

SUBJECT: Analysis of the Proposed Charlotte Harbor CRA
as a Blighted Area

It is important to note that the original Charlotte Harbor Subdivision is one of the oldest in the county. Recorded in Plat Book 1, Page 29, it was platted on April 16, 1886. Portions were replatted and additions were made throughout the early part of this century. Noteworthy features include a very tight grid street pattern with square or rectangular blocks with lot widths ranging from 40 to over 90 feet. Narrow (usually 15 feet) alleys were platted which split the blocks into halves or quarters.

Specifically addressing the seven criteria for the determination of a blighted area, as stated in the attached definition:

1. The street layout is too dense. Given the alleys and the streets bounding these small blocks, almost all lots have more than one street frontage. Many lots have three street frontages. Such a street layout, coupled with inadequate lot width and poor configuration, has severely limited the buildable area of these lots under the setback restrictions within the existing Zoning Code. In addition, too much land is occupied by streets, resulting in abnormally high costs of maintenance.

2. The subdivision has a very poor lot layout which, as previously stated, is directly the result of the street layout. Lots are too accessible. Given the inadequate dimensions of the lots, many of which are 40 to 60 feet wide, and a proliferation of street frontages, the current usefulness of these lots is impaired.

Many of the streets and alleys that were originally platted were never constructed. Consequently, there have been many requests for piecemeal vacation of alleys and streets in an attempt to increase lot sizes.

3. The area has no central sewer. All sanitary facilities are on septic systems. Many of these septic systems are very old, poorly constructed and do not meet current health standards, (see HRS/Environmental Health for supporting information).
4. Improvements (structures) existing in the area were constructed over a long period of time. Structures remain that were built in the 1920's. This area contains a heavy concentration of structures that do not conform to either current Zoning Codes (first adopted on September 15, 1962) or current FEMA flood regulations (which first became effective in 1973). The Charlotte Harbor area is extremely low and subject to flooding even in the mildest of tropical storms. This area was identified as a repetitive loss area (area having repeated claims on the same properties) in the Community Rating System study that was done by the county for FEMA. In the event of a large hurricane, flood damage to this area would be extensive.

Such nonconformities further limit the ability of a property owner to enlarge, expand or improve a property in this area. The loss of FEMA flood insurance for such structures may also be prohibitive. These problems, in turn, affect the marketability of the property and, over time, results in a loss of value. (The County Property Appraiser would likely confirm this trend).

5. See the County Property Appraiser's staff for this one.
6. As previously noted, the proliferation of nonconformities, primarily with regard to setbacks, flood elevations and lot area/width standards, certainly harms the marketability of the property. Where nonconformities are involved, financing for construction or improvement may be difficult to obtain. Without being improved and maintained, the property and its value decline over time.

Page 3
Michael O'Keefe

- 7 Inadequate street layout has already been addressed. However, given the age of most of the structures, there is a shortage of parking. This is particularly true with respect to commercial structures, most of which were constructed prior to the existance of zoning regulations.

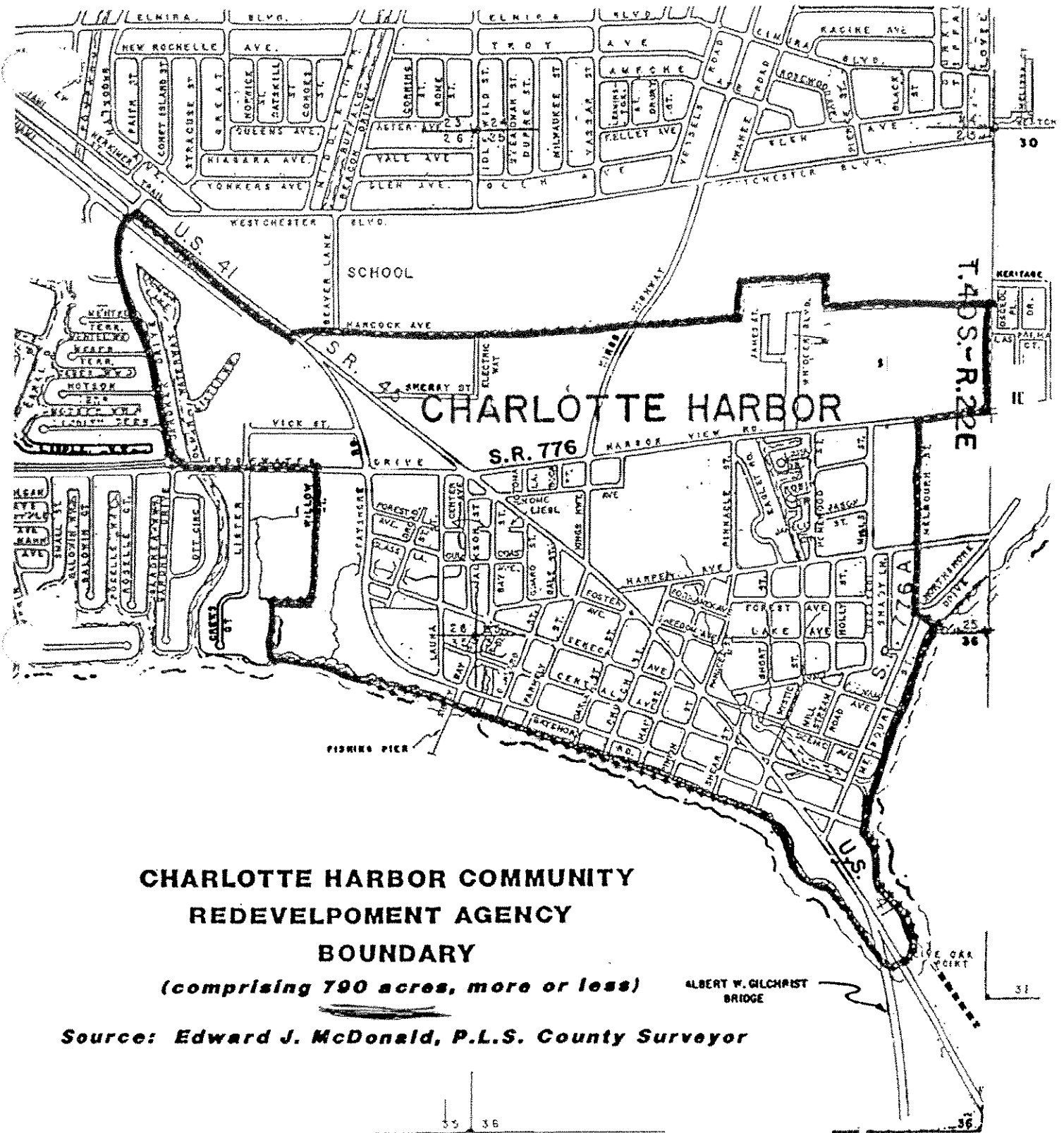
It is my opinion that the area certainly qualifies as a blighted area under the criteria attached. If you need additional supporting documentation, please contact me. I will be happy to assist you.

BSH/djn

cc: James R. Kuzdas, Jr., Zoning Director
Paulette L. Horne, Assistant Zoning Director

ZA-92-2291

4-



**CHARLOTTE HARBOR COMMUNITY
REDEVELOPMENT AGENCY
BOUNDARY**

(comprising 790 acres, more or less)

Source: Edward J. McDonald, P.L.S. County Surveyor

Fax 629-2085

CRA

Overview of the Charlotte Harbor Town Plan

The Charlotte Harbor Community Redevelopment Agency Advisory Community (CRAAC) presents, for public review and comment, the preferred Recommended Land Use Alternative for Charlotte Harbor Town. The draft Future Land Use Map, which depicts proposed land use amendments to the Charlotte County Future Land Use Map, was recently drafted by the advisory committee to the CRA. After much discussion and numerous public meetings, the advisory committee selected this alternative at their regular meeting on July 28, 1994. The Future Land Use Map was drafted after reviewing considerable input from the public, University of Florida Study Team, and County staff.

Although approved by the advisory committee, the plan must ultimately be adopted by the Charlotte County Board of County Commissioners and found to be "in compliance" by the Florida Department of Community Affairs (DCA). Due to the requirements set forth by the State Legislature, an involved comprehensive review of all large-scale plan amendments must be undertaken.¹ The administrative requirements for processing this petition will require the satisfactory completion of the following tasks:

- County Planning staff transmits for review the proposed comprehensive text and map amendment, including support documents, to the Florida Department of Community Affairs (DCA), Southwest Florida Regional Planning Council (SWFRPC), South Florida Water Management District (SFWMD), Florida Department of Transportation (DOT), and Florida Department of Environmental Protection (DEP);
- DCA issues to the County Planning Department an Objection, Recommendations and Comments (ORC) report which examines the proposed comprehensive plan amendment for compliance and consistency with state and regional plans;
- The Charlotte County Planning and Zoning Board conducts a public hearing to review the comprehensive plan amendment and provide comments to the Board of County Commissioners;
- The Board of County Commissioners conducts a public hearing at which time the board renders a determination approving the comprehensive plan amendment; and
- After the Board's decision, DCA renders a notice to the local government finding the comprehensive plan amendment "in compliance", at which time the amendment becomes effective.

¹ In 1985, the Florida State Legislature enacted the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes. A complete copy of this, and other planning related documents, may be obtained at the Charlotte County Planning Department, at #743-1224

The proposed Future Land Use Map was drafted with strong consideration given to the realization of the goals presented by members of the public during the two, day-long Charrette's at the County's Beach Complex, as well as other public meetings of the CRA Advisory Committee and the Charlotte Harbor Improvement Committee. The Advisory Committee also enlisted the support of County staff when they drafted the proposed map. Staff supplied numerous maps and studies which enabled the Advisory Committee to determine appropriate land uses based on issues which include concerns for public safety, environment, aesthetics, and other development constraints and opportunities found within the area. During the course of the public meetings, two complimentary issues surfaced:

- The public expressed a desire to preserve the residential character and greenways (waterfront and large vacant wooded parcels) within the area; and
- Reduce residential densities within the Coastal High Hazard areas.

With these and other important concerns in mind, the University Study Team prepared a redevelopment plan for Charlotte Harbor Town which included three future land use alternatives. After a lengthy review of the alternatives, the Advisory Committee decided they would not endorse nor recommend any of the three land use alternatives to the Board of County Commissioners. It was the consensus of the Advisory Committee that they would prepare their own Future Land Use Map. It was decided that the map would be based -- in part -- on those aspects of University Study Team's work which they found acceptable, and on those public comments and suggestions which the Advisory Committee received during the public meetings.

Other significant features which can be found within the CRA Advisory Committee's preferred Recommended Land Use Alternative include:

- Redesignation of the "existing" single-family residential neighborhoods located north of Bayshore Road, and east and west of Melbourne Street;
- Preservation of the waterfront through the depiction of those areas which have been targeted for County acquisition as part of a long-range parkland acquisition program (willing sellers only);
- Introduction of a mixed-use land use designation. This land use is intended to be utilized for areas in which the Advisory Committee has determined should be exclusively commercial or residential use; and
- Continuation of certain existing uses currently found within Charlotte Harbor Town which are considered viable and contribute positively to the area.

The Advisory Committee strongly reminds the public that this is a proposed Future Land Use Map, not a zoning map. The land development regulations, which must be adopted to implement a zoning code or a zoning map, have not been drafted at this time. The drafting of land development regulations will need to be initiated after the adoption of a Future Land Use Map.

Proposed Land Use Designations

Industrial

- Primarily Light Industrial use (IL)
- Light Manufacturing

Commercial

- Primarily Commercial General uses (CG)
- Certain Commercial Intensive uses (CI)

Commercial Village

- Primarily Commercial Tourist uses (CT)
- Neighborhood Commercial also permitted (CN)

Mixed-Use

- Commercial - Primarily CN, CT, CG, and certain CI uses
- Professional Office - Office/Medical/Institutional
- Multi-Family Residential ≤ 10 units per acre

Mixed-Use (Low Intensity)

- Single-Family Residential ≤ 3.5 dwelling units per acre
- Multi-Family up to 10 dwelling units per acre
- Professional Services - Medical Offices
- Personal Services

Residential

- Single-Family Residential ≤ 3.5 dwelling units per acre, or develop one single-family dwelling unit per platted lot
- Where the current zoning designation is Environmentally Sensitive, the maximum residential development shall be one dwelling unit per 10 acres
- Multi-Family Residential or clustering of dwelling units shall be permitted by "Planned Development" (PD) in order to preserve open space
- Multi-Family density limited to 3.5 dwelling units per acre
- Low intensity recreational uses permitted by "PD" rezoning

Land Use Distribution

Adopted Zoning Map

Gross Acreage *

Industrial, Light	IL	152 acres ±
Commercial Intensive	CI	180
Commercial General	CG	64
Commercial Tourist	CT	38
Planned Development	PD (IL)	25
Office, Medical, Institutional	OMI	5
Residential Multi-family 15 d.u./acre	RMF-15	145
Residential Multi-family 12 d.u./acre	RMF-12	18
Residential Multi-family 10 d.u./acre	RMF-10	42
Residential Multi-family 5 d.u./acre	RMF-5	16
Residential Single-family 5 d.u./acre	RSF-5	18
Residential Single-family 3.5 d.u./acre	RSF-3.5	28
Residential Single-family 2 d.u./acre	RSF-2	4
<u>Environmental Estates</u>	ES	<u>19</u>
Total Gross Acreage		754

Adopted Future Land Use Map

Industrial	Ind.	177
Commercial	Comm.	282
High Density Residential	HDR	163
Medium Density Residential	MDR	42
Low Density Residential	LDR	66
Mobile Home	MH	5
<u>Preservation</u>	Pres.	<u>19</u>
Total Gross Acreage		754

Proposed Future Land Use Map

Industrial	Ind.	177
Commercial	Comm.	100
Commercial Village	C-V	25
Mixed-Use	M-U	155
Mixed-Use (Low Intensity)	O/R	15
<u>Residential</u>	Res.	<u>282</u>
Total Gross Acreage		754

Total Gross Acreage for each land use has been calculated utilizing a digital/roller planimeter, and includes all roadway surface areas within each estimate.

Effective Date 12/6/93

O R D I N A N C E

NUMBER 93 57

AN ORDINANCE ESTABLISHING THE CHARLOTTE HARBOR TOWN LOCAL HISTORIC DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; PROVIDING FOR ITS PURPOSE; DESCRIBING THE RELATIONSHIP OF THE DISTRICT TO THE CHARLOTTE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR APPLICABILITY; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

FINDINGS

The Board of County Commissioners finds:

A. That Charlotte Harbor Town contains a number of historically significant structures, sites and trees which date back to the last century.

B. That Charlotte Harbor Town was established in 1862 with the construction of a dock used to ship cattle past the Union blockade of Charlotte Harbor to the Confederate armies, and that a general store and homes gathered around this facility and formed the first settlement in what is now Charlotte County.

C. That the State DeSoto Trail Commission recognizes this area as a possible site of Hernando DeSoto's base camp where his exploration of the Southeastern United States began in 1539.

D. That the site includes a landmark called Live Oak Point which can be identified on a map dated 1883

E. That Charlotte Harbor Town is the location of the first post office, school, church (the Trinity Methodist Church is still active) and cemetery in what is now Charlotte County, and that these buildings were constructed circa 1873.

F. That the preservation and enhancement of historic archaeological resources is a valid public purpose which promotes the economic, educational, cultural and general welfare of public.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County that:

SECTION 1. ESTABLISHMENT. The Charlotte Harbor Town Local Historic District is hereby established.

SECTION 2. DESCRIPTION OF DISTRICT. The location of Charlotte Harbor Town Local Historic District is described as that part of Charlotte Harbor Town located East of Willow Street, South of Edgewater Road, North of Charlotte Harbor and West of US 41 and including an area East of US 41 bounded by Harper Avenue to Pinnacle Street, Panacea Street, and Formanek Street and extending Southeast to Charlotte Harbor and South to the Barron Collier Bridge (see attached map) located within Township 40 South, Range 22 East, Sections 25 and 36 of the Charlotte County Future Land Use Map.

SECTION 3. DECLARATION OF INTENT AND PURPOSE.

The purpose of this regulation is to ensure the preservation of the historic and archaeologic heritage of Charlotte Harbor Town by designating it as a Local Historic District

SECTION 4. RELATIONSHIP TO THE COMPREHENSIVE PLAN. This ordinance implements the following Goals, Objectives, and Policies of the Comprehensive Plan:

HOUSING ELEMENT: OBJECTIVE 4: Policy 4.1, Policy 4.2, Policy 4.3, Policy 4.4, Policy 4.6 and Policy 4.7.

FUTURE LAND USE ELEMENT: OBJECTIVE 12: Policy 12.1.

CONSERVATION ELEMENT: OBJECTIVE 15: Policy 15.2 and
Policy 15.3

SECTION 5. INTENT. It is the intention of the Board of
County Commissioners and it is hereby ordained that the provisions
of this ordinance shall become and be made a part of the Code of
Laws and Ordinances, Charlotte County, Florida, and the sections of
this ordinance may be renumbered to accomplish such intention.

SECTION 6. EFFECTIVE DATE. This ordinance shall take
effect upon receipt of acknowledgement of its filing in the Office
of the Secretary of State, State of Florida.

PASSED AND DULY ADOPTED this 23rd day of November, 1993

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By Max R. Farrell
Max R. Farrell, Vice Chairman

ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-Officio
Clerk to the Board of County
Commissioners

By: Barbara T. Scott
Deputy Clerk

APPROVED AS TO FORM ⁴⁻
AND LEGAL SUFFICIENCY

Matthew G. Minter
Matthew G. Minter
County Attorney

a:\ord\hrbrtown.mgm
November 18, 1993 mj

[illegible]

By Lindsay Williams

HISTORIC PRESERVATION BOARD
RESOLUTION
NUMBER 92-2

A RESOLUTION IN SUPPORT OF THE PROPOSED CHARLOTTE HARBOR AREA COMMUNITY REDEVELOPMENT AGENCY (CRA) AND ITS FUTURE FUNDING AND ACTIVITIES NECESSARY IN THE FINDING OF BLIGHT AND BEAUTIFICATION AND ENHANCEMENT OF THE AREA.

RECITALS

1. Charlotte Harbor Town has been designated by the Board of County Commissioners as a Local Historic District (see Map #1).

2. The Local Historic District of Charlotte Harbor Town is fully contained within the boundaries of the proposed CRA (see Map #2).

3. The CRA will promote the beautification and preservation of the historic sites, structures, and trees in the Local Historic District.

4. The CRA will ensure protection of the historic sites, structures, and trees in the Historic District for future generations.

NOW, THEREFORE, BE IT RESOLVED by the Historic
Preservation Board of Charlotte County, Florida:

5. The Charlotte County Historic Preservation Board is confident that the CRA will protect and enhance the historic sites, structures, and trees located within the border of the proposed CRA.

6. The Charlotte County Historic Preservation Board presents the attached Maps (#1 and #2) which illustrate inclusion of the Local Historic District of Charlotte Harbor Town in the proposed CRA.

7. The Charlotte County Historic Preservation Board hereby supports the CRA, its funding and activities, as proposed for the Charlotte Harbor area which includes the Local Historic District of Charlotte Harbor Town.

PASSED AND DULY APPROVED THIS 9th DAY OF September

HISTORIC PRESERVATION BOARD
of Charlotte County, Florida

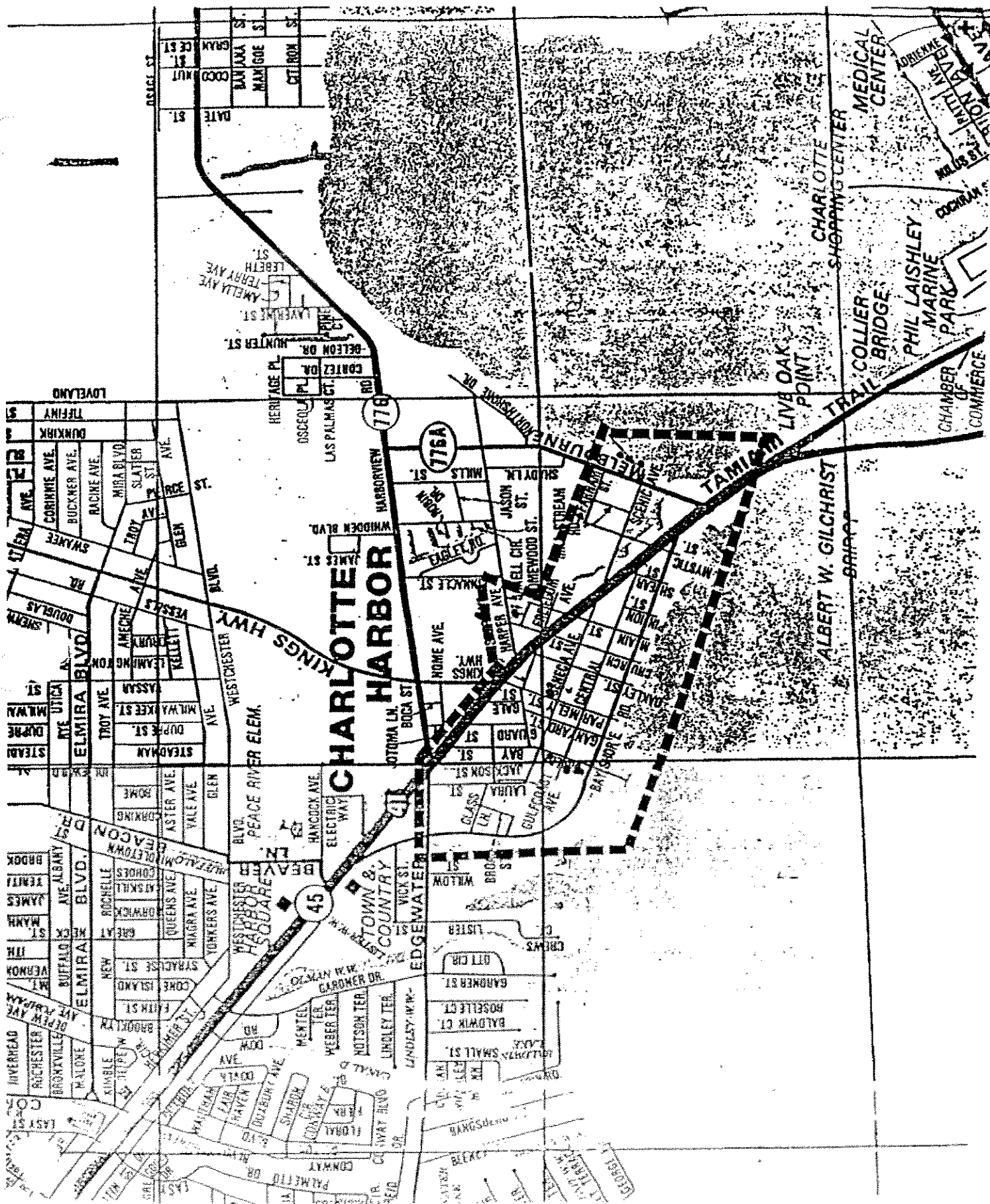
By Lindsey Williams
Lindsey Williams, Chairman

Attest: Sheila A. Ruger
Sheila A. Ruger, Planner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By WCL Jamison
Asst County Attorney

SAR/92



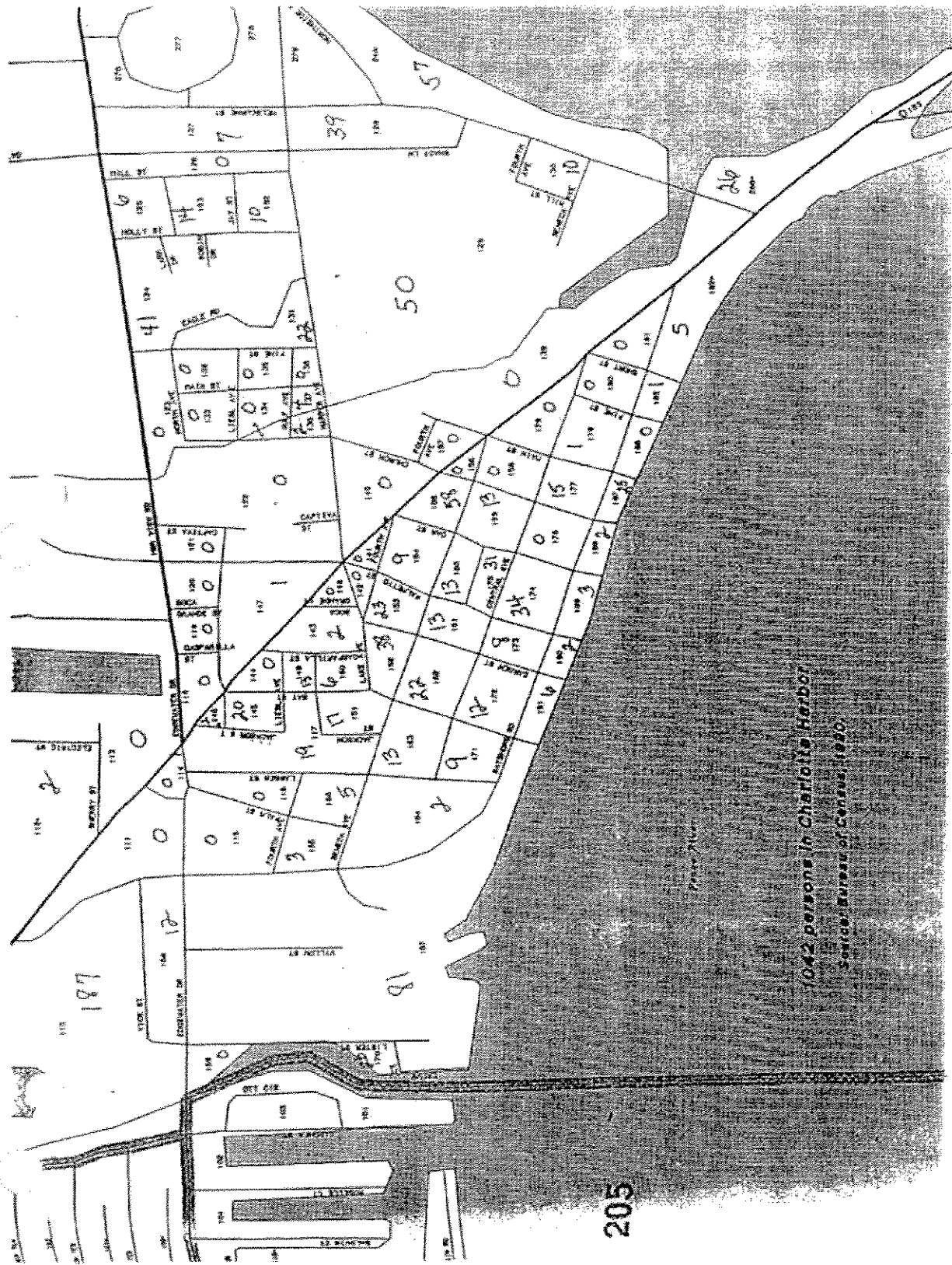
MAP #1

1.
July 22, 1992

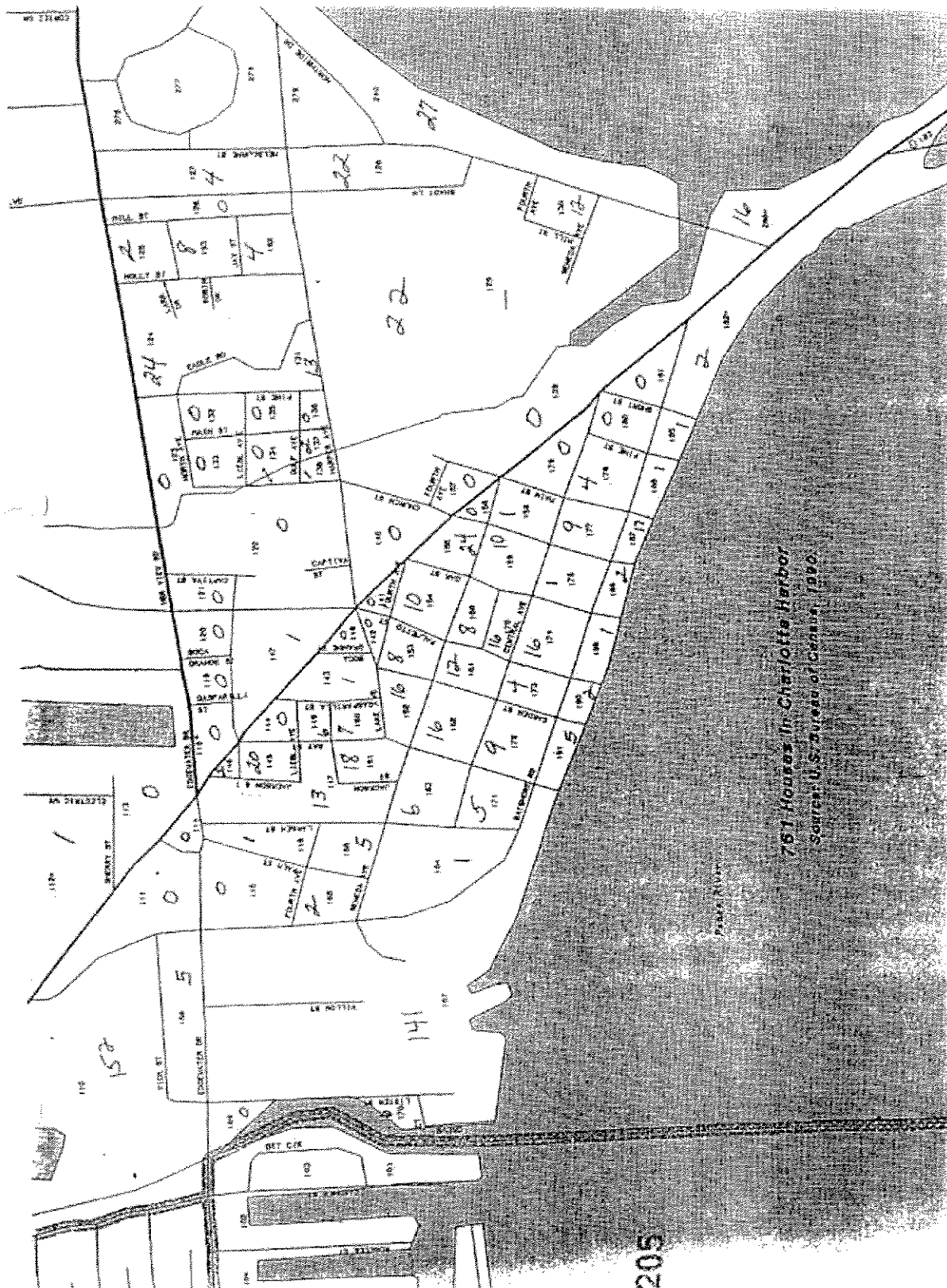
CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AGENCY
BOUNDARY

Beginning at the intersection of the southerly Right-of-Way of Tamiami Trail (US41) extended and the Centerline of Gardner Drive extended, as recorded in Plat Book 5, Pages 18A thru 18C of the Public Records of Charlotte County, Florida. Thence southerly along said centerline of Gardner Drive to its intersection with the north line of the south 1/2 of Section 26, Township 40 South, Range 22 East, a.k.a. Centerline of Edgewater Drive. Thence easterly along said north line of the south 1/2 of Section 26, Township 40 South, Range 22 East, to its intersection with the westerly property line of Parcel 14, a.k.a. Edgewater Manor Condominium, as recorded in Condominium Book 1, Pages 27A thru 27J of the Public Records of Charlotte County, Florida. Thence southerly along the west property line of Parcel 14, 1335 feet ± to a point. thence westerly 440 feet ± to a point. Thence southerly 741 feet ± to the north bank of the Peace River. Thence meandering southeasterly and thence northeasterly along said north bank of the Peace River to a point, said point being the southeast corner of the southerly property line of lot 1, Block A, Charlotte Shores No. 1, as recorded in Plat Book 2, Page 83 of the Public Record of Charlotte County, Florida. Thence northwesterly along said southerly property line 321 feet ± to the southwest corner of Lot 1, Block A, Charlotte Shores No. 1. Thence continuing northwesterly 30 feet ± to the intersection of the southerly property line extended and the centerline of Melbourne Street (formerly Harbor Street). Thence northerly along said centerline of Melbourne Drive to its intersection with the centerline of Harborview Road. Thence easterly along said centerline of Harborview Road to its intersection with the east line of Section 25, Township 40 South, Range 22 East. Thence northerly along the east line of Section 25 to the Northeast Corner of the southeast 1/4 of the northeast 1/4 of Section 25, Township 40 South, Range 22 East. Thence westerly along the north line of the southeast 1/4 of the northeast 1/4 to a point, said point being the intersection of the easterly property line of Harbor Industrial Condominium, as recorded in Condominium Book 5, Page 1 of the Public Records of Charlotte County, Florida and the north line of Tract "A" of Whidden Industrial Park First Addition, as recorded in Plat Book 15, Pages 42A and 42B of the Public Records of Charlotte County, Florida. Thence northeasterly along the east line of Harbor Industrial Condominiums 220 feet ± to a point. Thence southwesterly along the north line of Harbor Industrial Condominium 675 feet ± to a point. Thence southwesterly along the west line of Harbor Industrial Condominium 250 feet ± to a point. Said point also being the Northeast corner of the southeast 1/4 of the northwest 1/4 of Section 25, Township 40 South, Range 22 East. Thence westerly along the north line of the south 1/2 of the northwest 1/4 to the northwest corner of the southwest 1/4 of the northwest 1/4 of Section 25, Township 40

"southwest 1/4 of the northwest 1/4 of Section 25, Township 40 South, Range 22 East. thence contiuing westerly along the north line of the south 1/2 of the northeast 1/4 of Section 26, Township 40 South, Range 22 East to its intersection with the southerly Right-of-Way of Tamiami Trail (US41). . Thence northwesterly along said southerly Right-of Way of Tamiami Trail (US41) to a point. Said point being the point of Beginning.



1042 persons in Charlotte Harbor
Source: Bureau of Census, 1990



761 Houses in Charlotte Harbor
Source: U.S. Bureau of Census, 1990.

RESOLUTION
NUMBER 92-252

A RESOLUTION OF THE COUNTY OF CHARLOTTE, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; APPOINTING THE CHARLOTTE COUNTY BOARD OF COUNTY COMMISSIONERS AS THE CHARLOTTE COUNTY COMMUNITY REDEVELOPMENT AGENCY BOARD OF COMMISSIONERS; APPOINTING ONE (1) MEMBER FROM THE LOCAL PLANNING AGENCY; ONE (1) MEMBER FROM THE BUSINESS COMMUNITY WITHIN THE COMMUNITY REDEVELOPMENT AREA, TWO (2) MEMBERS FROM THE RESIDENTIAL POPULATION WITHIN THE COMMUNITY REDEVELOPMENT AREA, THREE (3) MEMBERS FROM THE COUNTY AT LARGE AS THE ADVISORY COMMITTEE TO THE COMMUNITY REDEVELOPMENT AGENCY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

1. Pursuant to Resolution No. 92-251, the County Commission of the County of Charlotte has made a finding of necessity for the creation of the Charlotte County Community Redevelopment Agency ("the Agency").

2. Chapter 163 (Part III), Florida Statutes, prescribes the creation of a community redevelopment agency.

3. Section 163.357, Florida Statutes, provides that when the Board of County Commissioners adopts resolution declaring the need for a community redevelopment agency, the County Commission may, by resolution, appoint itself as the board of commissioners of the Community Redevelopment Agency.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

98 SEP 17 PM 1:20

COUNTY COMMISSIONER OFFICE

3/1/98

75 MINUTES

Barbara T. Scott, Clerk of the Circuit Court - Charlotte County
File Number: 196947 OR BOOK 1245 PAGE 1879
Recorded: 11-09-92 02:32 P.M.

Recording \$ 15.00
Record Verified: SHARON BONEILL, O.C.

4. That the County Commission declares itself to be the Charlotte County Community Redevelopment Agency, and that the County Commissioners are thus appointed as the members of the Charlotte County Community Redevelopment Agency.

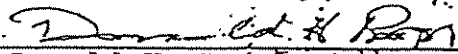
5. That the County Commission shall appoint one (1) member from the Charlotte County Local Planning Agency, one (1) member from the business representatives within the community redevelopment area, two (2) members from the residential representatives within the community redevelopment area and three (3) members as county-wide representatives, to act as the advisory committee to the Charlotte County Community Redevelopment Agency, to be known as the Charlotte County Community Redevelopment Agency Committee.

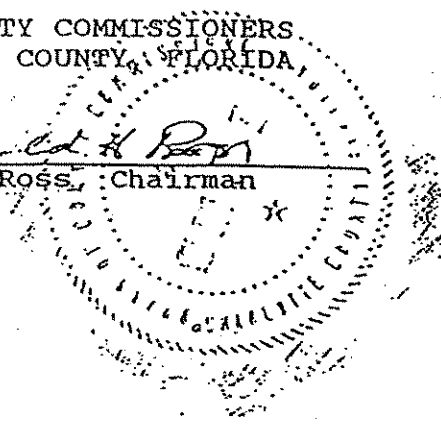
6. Pursuant to Resolution No. 92-251, the Charlotte County Community Redevelopment Agency will function under the powers outlined in Chapter 163 (Part III), Florida Statutes, and these powers shall be exercised in accordance with Chapter 163 (Part III), Florida Statutes.

7. This resolution shall take effect immediately upon its passage.

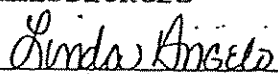
PASSED AND DULY ADOPTED this 3rd day of November, 1992.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA


By 
Donald H. Ross, Chairman



ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-officio
Clerk to the Board of County
Commissioners

By 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


Beth A. Sullivan
Assistant County Attorney

ec:res\cra/100992

Charlotte Harbor Community Redevelopment Plan

Appendix B



2030 *Long Range Transportation Plan Summary Report*

November 2005

Charlotte County–Punta Gorda Metropolitan Planning Organization

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Public Involvement - Pages 14-15

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Introduction

The Charlotte County – Punta Gorda Metropolitan Planning Organization (MPO) is responsible for developing the 2030 Long Range Transportation Plan (LRTP). This LRTP serves as a guide for coordinated, comprehensive, inter-jurisdictional transportation planning throughout Charlotte County. The goal of this LRTP is to identify the location, function, and magnitude of new and improved transportation infrastructure for all of Charlotte County, including the City of Punta Gorda. The Plan presents a balance of modes including highway, transit, bicycle, and pedestrian improvements.

The Plan was developed in coordination with the update of the Sarasota/Manatee MPO's LRTP.

Public Comment / Plan Adoption

On November 2, 2005, the 2030 Long Range Transportation Plan was presented at the Public Workshop held at the Cultural Center of Charlotte County.

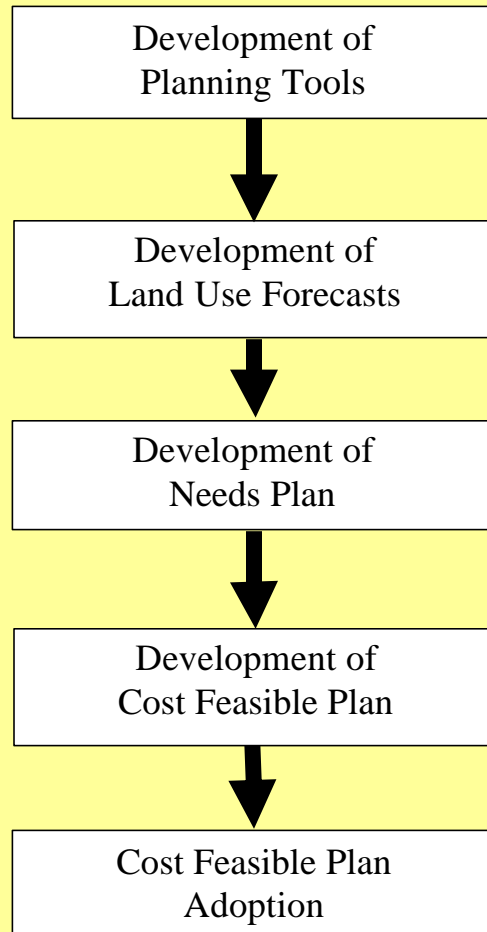
The LRTP is currently open for public comments until the Plan is adopted at the MPO's December 12, 2005 Board Meeting.

Changes to the LRTP can be made during this review period to address public comments or to reflect updated information.



Plan Development

Long Range Transportation Plan Development Process



Development Process

The Plan Development Process starts with an estimate of future transportation demand and leads to the adoption of the “Cost Feasible Plan” that will guide the funding and implementation of future transportation projects in Charlotte County. Throughout the process the public is afforded opportunities to participate in the development of the Plan.



Goals

Goals

The 2030 LRTP is guided by a set of Goals, Objectives, and Policies. These Goals, Objectives, and Policies are a combined effort from Charlotte County, the City of Punta Gorda, and the MPO. The 2030 LRTP Goals include:

Goal 1: *Transportation Philosophy* - The MPO, County and City declare a transportation planning philosophy grounded in the Transportation Equity Act for the 21st Century (TEA21) and subsequent updates to federal reauthorization, emphasizing protection of the public investment, provision of transportation options, protection of neighborhoods and the environment, economic development and public participation.

Goal 2: *Intermodal/Multi Modal Facilities* - Coordinate each component of the transportation system with other components to achieve convenience, energy and traffic flow efficiency, safety and cost effectiveness.

Goal 3: *Major Roadways* - Maintain an integrated roadway system which is safe, economical and convenient for efficient traffic circulation throughout the City and County.

Goal 4: *Sidewalks/Bikeways* - Provide bicycle/pedestrian facilities on collector and arterial roadways, accessing educational facilities, governmental facilities, commercial facilities, new residential plats and subdivisions and recreational facilities.

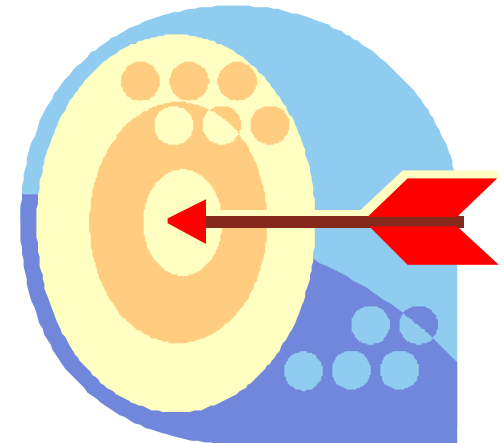
Goal 5: *Aviation* - Systematically expand aviation facilities concurrently with increases in general aviation and scheduled passenger service demand.

Goal 6: *Pipelines and Regional Ports* - New port and pipeline locations shall be compatible with adjacent land uses; and support environmental and transportation goals.

Goal 7: *Railroads* - Preserve existing railroad systems and pursue opportunities to improve railroad freight and passenger service.

Goal 8: *Public Transit* - Provide a high quality, low cost public bus service that is safe, convenient and accessible to all and accommodates transportation disadvantaged while improving the quality of life by building a sense of community through connecting neighborhoods.

Goal 9: *Level of Service* - Monitor road facility levels of service and prioritize improvements, in part, according to congestion.



Goals

Goal 10: Capital Improvements Program - Develop capital improvement priorities and support MPO adoption of a Transportation Improvement Program annually which will be coordinated with the state work program and the local capital improvement programs.

Goal 11: Major Intra-County Transportation Corridors
- Provide for efficient intra-county and inter-county vehicular travel by planning an integrated system of transportation corridors.

Goal 12: Street Corridor Design - Street corridors represent a significant proportion of public land and, as such, will be designed to gain the most public good possible.

Goal 13: Environmental Considerations - New and expanded transportation systems will continue to be aligned and designed to protect environmentally sensitive habitats and air quality.

Goal 14: Development Regulations - Maintain clear, concise, and enforceable development regulations which fully address on-site and off-site development impacts, yet function in a streamlined manner.

Goal 15: Intergovernmental Coordination - Participate in and share the leadership of all necessary and desirable programs in coordinating transportation planning and improvements within or affecting the County.

Goal 16: Public Participation - The public participation process for transportation planning shall include complete information, timely public notice; full access to key decisions; and early and continuing involvement of the public. The objectives and policies adopted by the MPO November 21, 1994 and in the Interlocal Agreement with the Sarasota/Manatee MPO adopted February 14, 2005 are incorporated here by reference.



Land Use

Population & Employment Projections

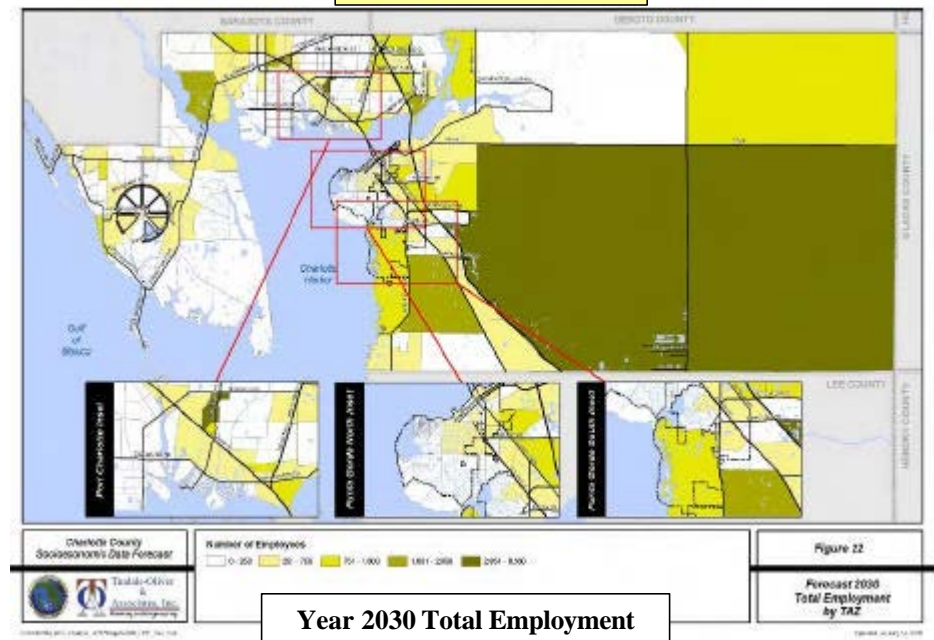
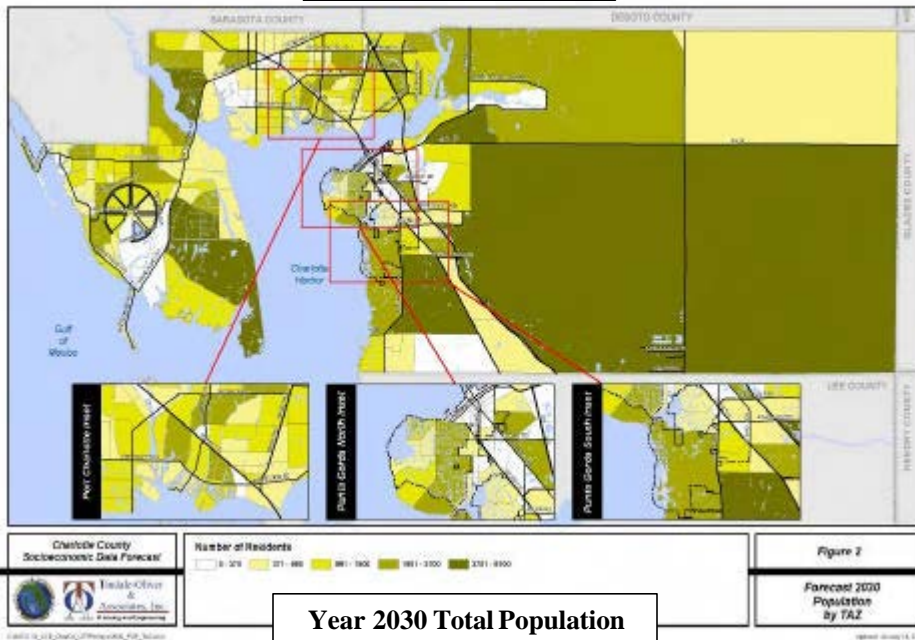
The 2030 LRTP development process includes the future population and employment projections. These projections are used to forecast the likely travel demand that will exist in the year 2030. This data will also be used for Charlotte County's Comprehensive Plan as well as other planned residential and commercial development in Charlotte County.

Population Projections

2000 – 142,500
2005 – 162,900
2010 – 192,200
2015 – 213,600
2020 – 228,000
2025 – 250,600
2030 – 272,800

Employment Projections

2000 – 57,900
2005 – 66,000
2010 – 77,700
2015 – 86,500
2020 – 93,000
2025 – 102,700
2030 – 113,900



2030 Needs Plan – Highway

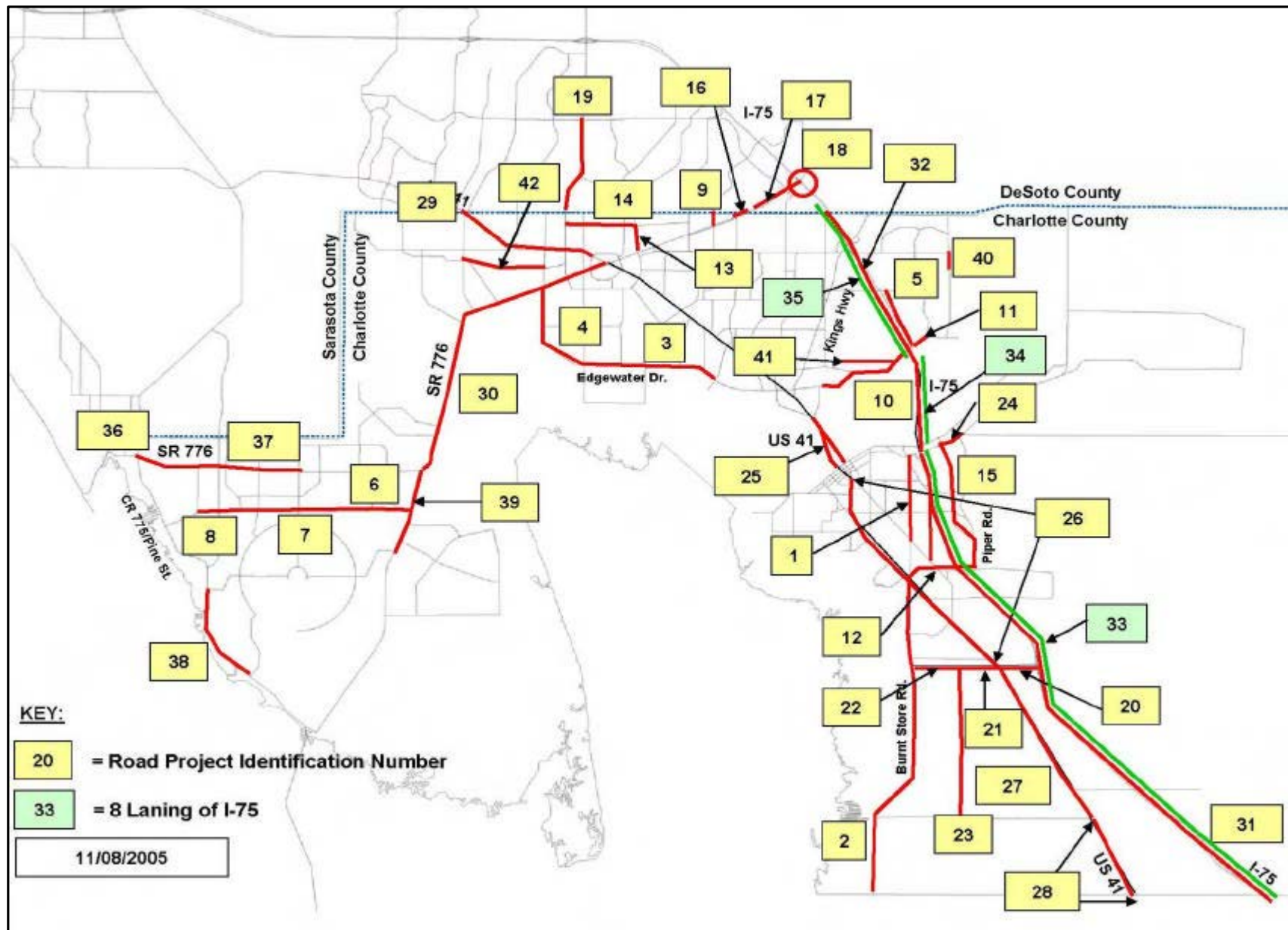
Project ID	Roadway	From	To	Proposed Improvement	Year 2030 ADT (approximate)	Total Project Cost **
1	CR 765/Burnt Store Road Extension	CR 765A/Taylor Road	Florida Street	New 4-lane facility	19,000	\$5,290,530
2	CR 765/Burnt Store Road	Lee County Line	US 41	Expand to 4-lanes	57,000	\$30,361,000
3	Edgewater Drive	Collingswood Boulevard	Harbor Boulevard	Expand to 4-lanes	40,000	\$21,391,360
4	Flamingo Road	Edgewater Drive	SR776/El Jobean Road	Expand to 4-lanes	30,000	\$15,154,812
5	I-75 Frontage Road/Luther Road Ext.	CR 776/Harborview Road	Rampart Boulevard	New 2-lane facility	16,000	\$3,333,668
6	Gulfstream Extension	Coach Road	CR 771/Gasparilla Road	New 4-lane facility	17,000	\$10,666,087
7	Gulfstream Boulevard	Forkland Avenue	Coach Road	Expand to 4-lanes	25,000	\$18,252,091
8	Gulfstream Extension	San Casa Road	Forkland Avenue	New 4-lane facility	15,000	\$11,610,824
9	Harbor Boulevard Extension	Veterans Boulevard	Hillsborough Boulevard	New 4-lane facility	10,000	\$2,163,449
10	CR 776/Harborview Road	Melbourne Street	West of I-75	Expand to 4-lanes	35,000	\$9,828,797
11	CR 776/Harborview Road	I-75	Rio de Janeiro Avenue	Expand to 4-lanes	35,000	\$3,879,936
12	CR768/North Jones Loop Road	US 41	Piper Road	Expand to 6-lanes	40,000	\$12,726,332
13	Liddy Street Extension	Veterans Boulevard	Wilton Avenue	Expand to 4-lanes	16,000	\$3,967,371
14	North Toledo Blade Extension	CR 39/Toledo Blade Boulevard	Liddy Street	New 4-lane facility	24,000	\$18,514,012
15	Piper Road	North Jones Loop Road	US 17	Expand to 4-lanes	17,000	\$20,164,736
16	Raintree Boulevard Connector	Veterans Boulevard	Sarasota County Line	New 4-lane facility	41,000	\$5,000,000
17	Raintree Boulevard Extension	Sarasota County Line	I-75 (Sarasota County)	Expand to 4-lanes	41,000	\$10,154,812
18	Raintree Boulevard Interchange at I-75 (Sarasota Co.)		N/A	New Interchange	--	\$40,000,000
19	CR 39/Toledo Blade Boulevard (Sarasota Co.)	Hillsborough Boulevard	Price Boulevard (Sarasota Co.)	Expand to 4-lanes	31,000	\$14,725,944
20	Tuckers Grade	US 41	I-75	Expand to 6-lanes	31,000	\$6,980,960
21	Tuckers Grade Extension	New N/S Roadway	US 41	New 6-lane facility	22,000	\$11,104,683
22	Tuckers Grade Extension	CR 765/Burnt Store Road	New N/S Roadway	New 6-lane facility	22,000	\$12,293,691
23	New N/S Roadway	Zemel Road	Tuckers Grade Extension	New 2-lane facility	5,000	\$24,416,354
24	US 17	Piper Road	CR 74/Bermont Road	Expand to 6-lanes	36,000	\$863,850
25	US 41 Bridges	US 17 SB/Marion Avenue	Melbourne Street	Expand to 6-lanes	125,000	\$55,224,811
26	US 41	Tuckers Grade	US 41 Split	Expand to 6-lanes	50,000	\$32,878,626
27	US 41	Zemel Road	Tuckers Grade	Expand to 6-lanes	55,000	\$24,449,552
28	US 41	Lee County Line	Zemel Road	Expand to 6-lanes	50,000	\$12,250,953
29	US 41	Enterprise Drive	Sarasota County Line	Expand to 6-lanes	60,000	\$22,966,174
30	SR 776/El Jobean Road	CR771/Gasparilla Road	US 41	Expand to 6-lanes	90,000	\$56,256,008
31	I-75 *	Lee County Line	US 17	4-lanes to 6-lanes	90,000	\$236,374,000
32	I-75 *	CR 776/Harborview Road	Sarasota County Line	4-lanes to 6-lanes	124,000	\$71,997,000
33	I-75	Lee County Line	US 17	6-lanes to 8-lanes	108,000	\$148,364,160
34	I-75 (Peace River Bridges)	US 17	CR 776/Harborview Road	Expand to 8-lanes	132,000	\$41,299,920
35	I-75	CR 776/Harborview Road	Sarasota County Line	6-lanes to 8-lanes	134,000	\$40,019,280
36	SR 776/South McCall Road	CR 775/Placida Road	San Casa Road	Expand to 6-lanes	45,000	\$8,167,302
37	SR 776/South McCall Road	San Casa Road	Sunnybrook Boulevard	Expand to 6-lanes	43,000	\$13,350,398
38	CR 775/Placida Road	Cape Haze Drive	Rotonda Boulevard West	Expand to 4-lanes	16,000	\$15,137,213
39	CR 771/Gasparilla Road	Rotonda Boulevard East	SR 776/South McCall Road	Expand to 4-lanes	23,000	\$12,295,571
40	Sulstone Road Extension	Sulstone Road	Sandhill Boulevard	New 2-lane facility	5,000	\$2,891,024
41	Westchester Boulevard Extension	Westchester Boulevard	Harborview Road	New 2-lane facility	11,000	\$4,754,128
42	Biscayne Drive Extension	Cornelius Boulevard	Flamingo Boulevard	New 4-lane facility	11,000	\$15,034,301
Total Cost						\$1,126,575,710

* Costs from SIS Cost Feasible Plan

** Costs are stated in present value dollars (includes Design, R/W, CEI, and Construction)
All costs are stated in present day dollars (2006)

42 Projects at Costs of over \$1.1 Billion

2030 Needs Plan – Highway



2030 Needs Plan –Transit Projects

The Transit Needs Plan for the public transportation element of the LRTP are spelled out in the *Charlotte County Transit Development Plan (TDP) 2005 – 2014*, which is a 5 and 10 year plan. The TDP is a multi-year plan required by the FDOT that calls for a description of the transit agency's vision for public transportation, along with an assessment of transit needs and a staged implementation program to set the priorities for improvements. The TDP provides direction and input to the LRTP and the MPO's Transportation Improvement Plan. The transit needs projects are listed below.



Transit Strategic Initiatives	Total 2011 - 2030
OPERATING EXPENSES	
More Buses in Daily Service	
a. Two Buses in First Year	(1) \$ 4,049,136
b. One Additional Bus every other year	(3) \$ 15,724,800
Add Dial-A-Ride Evening Hours	
a. Three Buses Until 10:00pm	(2) \$ 2,024,568
Add Saturday Service	
a. Five Buses	(2) \$ 2,024,568
Add Sunday Service	
a. Five Buses	(2) \$ 2,024,568
U.S. 41 Corridor Shuttle Service	
a. Three Buses in Service	(3) \$ 7,286,445
Expand Dial-A-Ride in Englewood	
a. One Bus	(3) \$ 2,024,609
North Port Service to Port Charlotte	
a. One Bus in Service	(3) \$ 2,024,568
Express Bus to Ft. Myers	
a. One Bus in Service	(3) \$ 2,024,568
Intercity from Punta Gorda to Arcadia	
a. One Bus in Service	(3) \$ 2,024,568
Unified Public Image & Marketing	
a. Consultant Services	\$ -
Transit Planner/Marketing Specialist	
b. Salary, Benefits, Set-Up Expenses	\$ 1,133,000
SUMMARY OF OPERATING EXPENSES	\$ 42,367,398

Transit Strategic Initiatives	Total 2011 - 2030
CAPITAL EXPENSES	
Bus Replacement – Existing Base Fleet	
a. Four Buses per Year	(4) \$ 4,532,000
Buses for Service Expansions	
a. U.S.41 Corridor - 4 mid-size buses	
(1) Original Purchases	\$ -
(2) Replacement of Originals	\$ 1,545,000
b. Englewood - 1 mini-bus	
(1) Original Purchases	\$ -
(2) Replacement of Originals	\$ 283,250
c. North Port - 1 mid-size bus	
(1) Original Purchases	\$ -
(2) Replacement of Originals	\$ 388,250
d. Ft. Myers - 1 mid-size bus	
(1) Original Purchases	\$ -
(2) Replacement of Originals	\$ 257,500
e. Arcadia - 1 mini-bus	
(1) Original Purchases	\$ -
(2) Replacement of Originals	\$ 283,250
Maintenance, Miscellaneous & Passenger Amenities	\$ -
a. Assorted Projects @ \$25,000 per year	\$ 500,000
Bus Wash System	\$ -
a. Bus Wash System with Water Reclaim	\$ -
Advanced Public Transit System Technology	
a. Reservation & Scheduling System	\$ -
b. Mobile Data Terminal	\$ -
c. Electronic Revenue Collection System	\$ 515,000
d. MIS/Computer Upgrades	\$ 208,000
Existing Capital	\$ 5,238,000
New Capital	\$ 3,270,250
SUMMARY OF CAPITAL EXPENSES	\$ 8,508,250
COMBINED OPERATING AND CAPITAL EXPENSES OF STRATEGIC INITIATIVES	\$ 50,875,648

NOTES:

(I) (1) indicates buses from existing fleet; (2) indicates no additional buses required; (3) indicates additional buses must be procured - included in item #16; and, (4) indicates replacement buses for existing fleet

(II) Operating and capital costs from 2008 through 2014 are based on the adopted TDP. It should be noted that the same level of transit service available in 2014 is maintained from 2015 through 2030.

(III) All costs and revenues are presented in 2006 dollars.

2030 Cost Feasible Plan – Highway Projects

Project ID	Roadway	From	To	Proposed Improvement	Year 2030 ADT (approximate)	SIS Project Cost *	Other State & County Project Cost **	Total Cost
2	CR 765/Burnt Store Road	Lee County Line	US 41	Expand to 4-lanes	57,000	\$0	\$30,381,000	\$30,381,000
3	Edgewater Drive	Collingswood Boulevard	Harbor Boulevard	Expand to 4-lanes	40,000	\$0	\$21,391,360	\$21,391,360
4	Flamingo Road	Edgewater Drive	SR776/EI Jobean Road	Expand to 4-lanes	30,000	\$0	\$15,154,812	\$15,154,812
10	CR 776/Harborview Road	Melbourne Street	West of I-75	Expand to 4-lanes	35,000	\$0	\$9,828,797	\$9,828,797
11	CR 776/Harborview Road	I-75	Rio de Janeiro Avenue	Expand to 4-lanes	35,000	\$0	\$3,879,936	\$3,879,936
12	CR768/North Jones Loop Road	US 41	Piper Road	Expand to 6-lanes	40,000	\$0	\$12,726,332	\$12,726,332
13	Liddy Street Extension	Veterans Boulevard	Wilton Avenue	Expand to 4-lanes	16,000	\$0	\$3,967,371	\$3,967,371
14	North Toledo Blade Extension	CR 39/Toledo Blade Boulevard	Liddy Street	New 4-lane facility	24,000	\$0	\$18,514,012	\$18,514,012
15	Piper Road	North Jones Loop Road	US 17	Expand to 4-lanes	17,000	\$0	\$20,164,736	\$20,164,736
16	Raintree Boulevard Connector	Veterans Boulevard	Sarasota County Line	New 4-lane facility	41,000	\$0	\$5,000,000	\$5,000,000
20	Tuckers Grade	US 41	I-75	Expand to 6-lanes	31,000	\$0	\$6,980,950	\$6,980,950
24	US 17	Piper Road	CR 74/Bermont Road	Expand to 6-lanes	36,000	\$863,850	\$0	\$863,850
28	US 41	Tuckers Grade	US 41 Split	Expand to 6-lanes	50,000	\$0	\$32,878,626	\$32,878,626
29	US 41	Enterprise Drive	Sarasota County Line	Expand to 6-lanes	60,000	\$0	\$22,966,174	\$22,966,174
30	SR 776/EI Jobean Road	CR771/Gasparilla Road	US 41	Expand to 6-lanes	90,000	\$0	\$56,256,008	\$56,256,008
31	I-75 *	Lee County Line	US 17	4-lanes to 6-lanes	90,000	\$236,374,000	\$0	\$236,374,000
32	I-75 *	CR 776/Harborview Road	Sarasota County Line	4-lanes to 6-lanes	124,000	\$71,997,000	\$0	\$71,997,000
36	SR 776/South McCall Road	CR 775/Placida Road	San Casa Road	Expand to 6-lanes	45,000	\$0	\$8,167,302	\$8,167,302
37	SR 776/South McCall Road	San Casa Road	Sunnybrook Boulevard	Expand to 6-lanes	43,000	\$0	\$13,350,398	\$13,350,398
39	CR 771/Gasparilla Road	Rotonda Boulevard East	SR 776/South McCall Road	Expand to 4-lanes	23,000	\$0	\$12,295,571	\$12,295,571
Total Cost						\$309,234,850	\$293,903,385	\$603,138,235

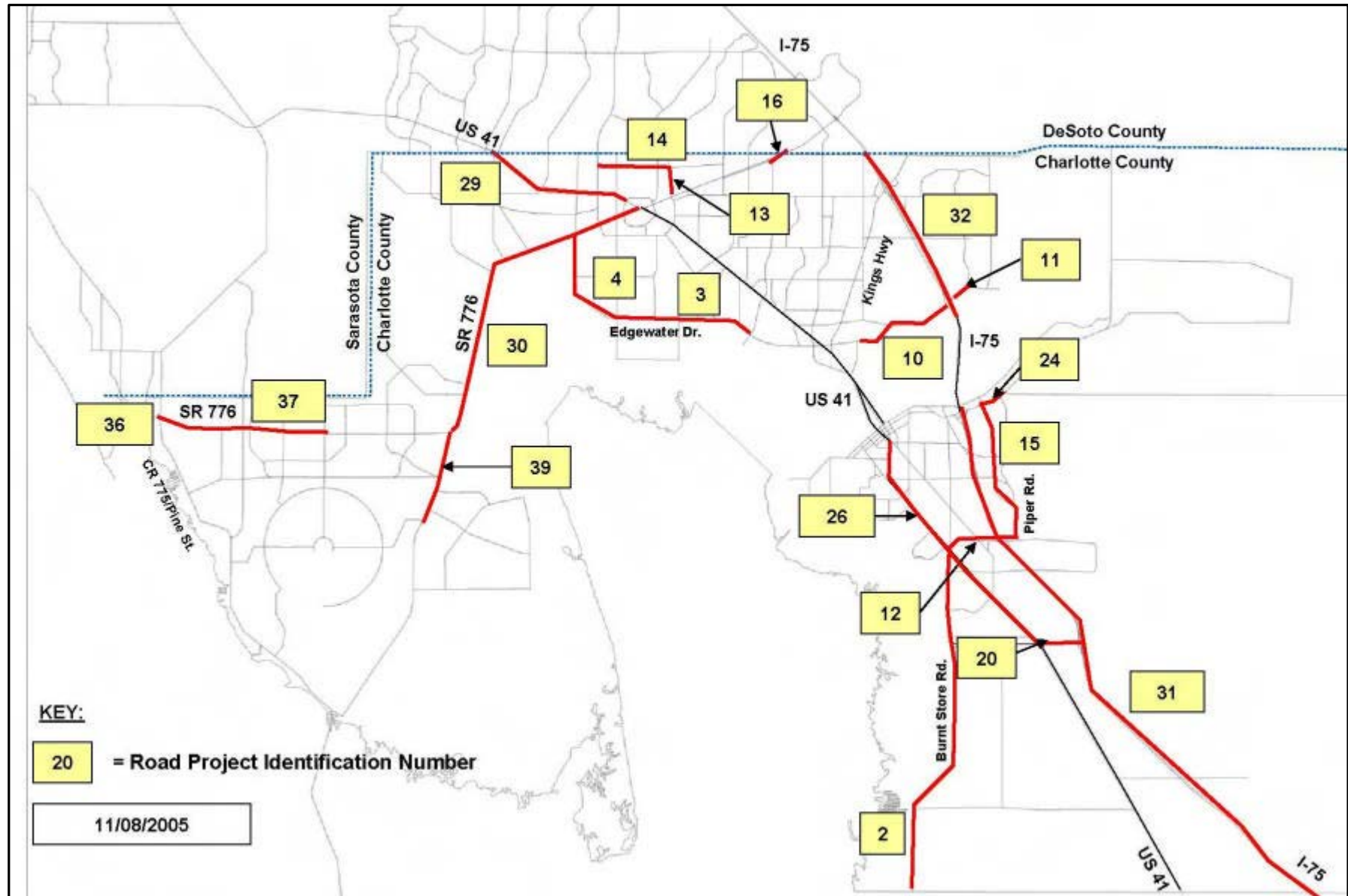
* Costs from SIS Cost Feasible Plan

** Costs are stated in present value dollars (includes Design, R/W, CEI, and Construction)

All costs are stated in present day dollars (2006)

20 Projects at Cost of over \$603 Million

2030 Cost Feasible Plan – Highway Projects



2030 Cost Feasible Plan – Transit and Bicycle/Pedestrian Projects

Transit Projects

Transit projects developed for the Cost Feasible Plan are based on the current Transit Development Plan (TDP) and the current and expected revenues available through 2030. The Transit Cost Feasible Plan includes the entire

TDP which, is shown in detail in the Transit Needs Plan section and is summarized in the following graphic:



Bicycle & Pedestrian Projects

Projects for both the bicycle and pedestrian portions of the Cost Feasible Plan will be identified based on the assumption that all future road projects, except on limited access roads, will include bikeways and sidewalks.

Cost Feasible Transit Projects

Operating Expenses

- More Buses in Daily Service
- Dial-A-Ride Evening Hours
- Saturday Service
- Sunday Service
- US 41 Corridor Shuttle Service
- Dial-A-Ride in Englewood
- North Port Service to Pt Charlotte
- Express Bus to Ft. Myers
- Intercity from Punta Gorda to Arcadia
- Transit Planner/Technical Specialist

Capital Expenses

- Bus Replacement
- Buses for Service Expansion
 - US 41 Corridor
 - Englewood
 - North Port
 - Ft Myers
 - Arcadia
- Maintenance, Misc., & Passenger Amenities
- Bus Washing System
- Advanced Public Transit System Technology

The remaining bicycle and pedestrian projects will be selected for funding through an iterative scoring and public involvement process and are exclusively retrofits of existing facilities.

Pedestrian improvements will be selected at a future date. A more detailed description of the project prioritization processes for bicycle and pedestrian projects is available in the following plans or documents: *Charlotte Harbor Heritage Trails Master Plan*, August 2002; *Sales Tax Sidewalks 1998 and 2002*; *City of Punta Gorda Sidewalk and Bicycle Trails Plan*; and *US 41 Sidewalk Priorities*, Adopted October 13, 2003.



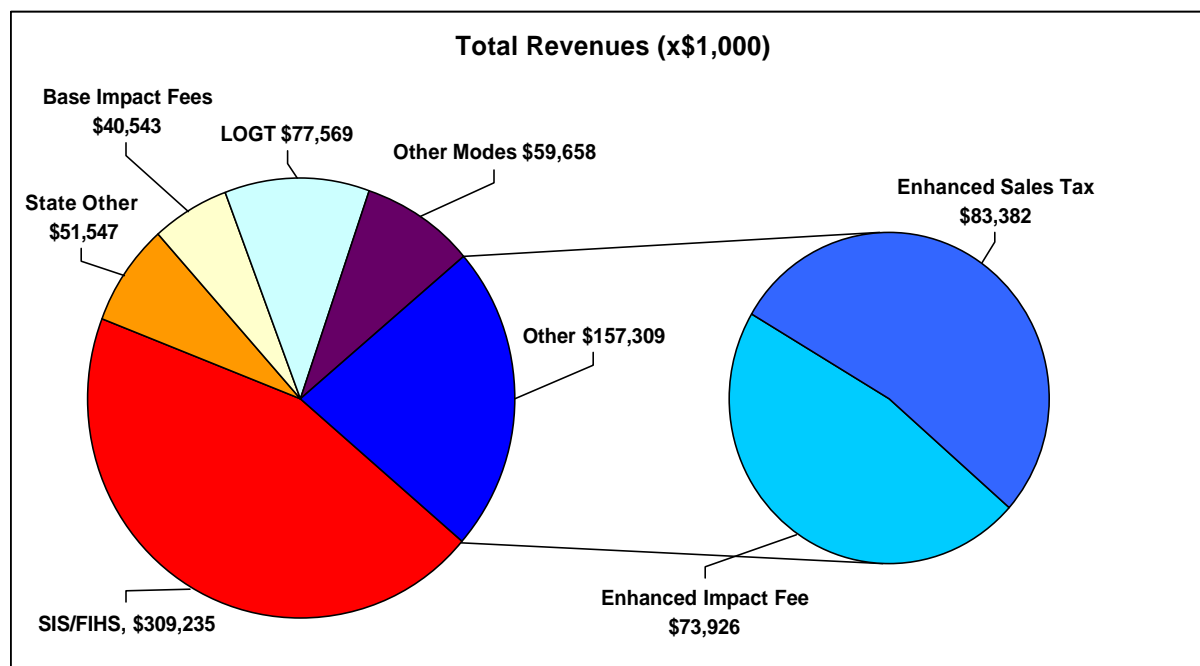
Financial Resources

Base Revenues 2011 to 2030

Base federal and state revenues total \$383.1 million. This includes state roads (\$360.8 million), public transportation (\$8.5 million) and bicycle and pedestrian enhancement funds (\$13.8 million). Existing County funding sources include local option gas taxes (LOGT) (\$77.6 million) and impact fees (\$40.5 million). The local option sales tax 25 percent of receipts to transportation capital expansion is scheduled to expire in 2008. Of county gas tax revenues, \$37 million is used to fund public transportation operations and maintenance. Existing county revenues to fund road projects total \$118.1 million.

Enhanced Revenues 2011 to 2030

Because existing revenue sources would not fund all needed improvements for the 2030 transportation system, several enhanced revenue sources were considered in developing the 2030 Cost Feasible Plan. Transportation impact fees were assumed to be increased by 75% in 2011, 50% in 2016, 25% in 2021, and 25% in 2026. This is forecasted to generate approximately \$114.5 million. The Local Option Sales Tax was assumed



to be extended from 2011 to 2030, generating \$83.4 million.

Enhanced county revenues from these sources total \$157.4 million. Given the county's track record in implementing impact fees and sales tax and with the MPO Board adoption of the 2030 Cost Feasible Plan as presented, it is reasonable to expect that these enhanced revenue sources will be implemented as presented.

Total Base and Enhanced Revenues 2011 to 2030

The total base and enhanced revenues for funding the 2030 Cost Feasible Plan are \$621.2 million. This includes the \$157.4 million in additional county funding as discussed above.

Revenue & Costs

Costs - Revenues Summary Charlotte County/Punta Gorda - Year 2030 Long Range Transportation Plan (2011 - 2030) All Modes

CAPITAL				
Mode of Travel	Revenue (X1000) ⁽¹⁾	Costs (X1000)	Percentage of Total Cost	Difference (X1000)
SIS ⁽²⁾	\$309,235	\$309,235	49%	\$0
State ⁽³⁾	\$51,547	\$133,618	21%	(\$82,071)
County ⁽⁴⁾	\$238,112	\$160,285	26%	\$77,827
Other	\$0	\$0	0%	\$0
Subtotal - Roads	\$598,894	\$603,138	96%	(\$4,244)
Public Transportation ⁽⁵⁾	\$8,508	\$8,508	1%	\$0
Bike / Pedestrian ⁽⁷⁾	\$13,840	\$13,840	2%	\$0
Total	\$621,242	\$625,486	100%	(\$4,244)
OPERATING AND MAINTENANCE				
Mode of Travel	Revenue (X1000)	Costs (X1000)	Percentage of Total Cost	Difference (X1000)
Roads ⁽⁶⁾	\$153,462	\$153,462	71%	\$0
Public Transportation ⁽⁵⁾	\$61,937	\$61,937	29%	\$0
Total	\$215,399	\$215,399	100%	\$0

NOTES:

- (1) Sources: FDOT SIS Cost Feasible Plan, Charlotte County Office of Management and Budget.
 (2) Revenues assumed to be costs.
 (3) State road costs include total cost less the cost of design. State revenues include Other Arterials Funds only.
 Design costs are funded from other State revenue sources.
 (4) Source: Charlotte County; Revenue includes a deduction of \$3 Million transferred to Operating and Maintenance.
 (5) See Transit Tables. Transit revenues include \$3 Million transferred from County revenues.
 (6) Source: Charlotte County Office of Management & Budget. Prior LRTP adjusted by annual growth factor of 3.3%.
 (7) Bike/Ped revenues are 2% of non-SIS revenues and State Transportation Enhancement funds. Costs assumed to be revenues.

Charlotte County - General Notes:

- * Gas tax revenue projections are based on applying 3.5% inflation per year from 2006 to 2010 and 2.19% thereafter.
- * Impact fee revenues include 75% rate increases in 2011, 50% increase in 2016, 25% increase in 2021, and 25% increase in 2026.
The resulting single family transportation impact fee rate will be \$7,010 in 2026.
- * Sales tax for transportation is assumed to be approximately 25% of the total sales tax revenues.
- * Current sales tax program, which is scheduled to end in year 2008, is assumed to continue through 2030. The sales tax revenue projections are based on applying 3.5% inflation per year from 2006 to 2010 and 2.19% thereafter.
- * All revenues are shown in deflated 2006 dollars.
- * All County revenues deflated at an annual rate of 3.3 percent.

Public Involvement

Introduction

Public involvement for this LRTP Update has been encouraged at all meetings of the Technical Advisory and Citizen Advisory Committees and supported in numerous ways. The meetings are advertised in local newspapers, announced on the MPO's website and are open to the public. Agendas are mailed to an extensive mailing list and provided at all public libraries before the meetings. The public is invited and afforded opportunities to speak on any transportation issue.

Public Involvement Process

The MPO has a number of committees including, the Bicycle/Pedestrian Advisory Committee (BPAC), the Transportation Disadvantaged Local Coordinating Board (LCB), the Technical Advisory Committee (TAC), and the Citizens Advisory Committee (CAC). Each committee has members that represent different public agencies and interests in the community. As part of the public involvement plan, all of these committees were involved in developing,

reviewing, and making comments on the LRTP. Their input and suggestions were solicited in the development of the Needs and the Cost Feasible Plans.



LRTP Meetings

A number of meetings were held to develop and discuss the LRTP. The LRTP discussions were part of the regularly scheduled agency meeting or scheduled as a separate workshop. The agencies or committees involved and the meetings dates are shown below.

MPO Board Meetings

- ◆ February 14, 2005
- ◆ May 9, 2005
- ◆ August 8, 2005

- ◆ October 10, 2005
- ◆ December 12, 2005 –Adoption

TAC and CAC Meetings

- ◆ January 26, 2005
- ◆ April 27, 2005
- ◆ July 27, 2005
- ◆ September 28, 2005
- ◆ November 16, 2005 – Draft LRTP

Joint TAC/CAC LRTP Workshop Meetings

- ◆ May 25, 2005
- ◆ June 29, 2005
- ◆ August 31, 2005

Charlotte County, City of Punta Gorda and Charlotte County Airport Authority

LRTP Workshop Meetings

- ◆ February 23, 2005
- ◆ March 16, 2005
- ◆ April 12, 2005
- ◆ May 25, 2005
- ◆ June 29, 2005
- ◆ July 8, 2005
- ◆ July 14, 2005
- ◆ July 22, 2005
- ◆ August 31, 2005
- ◆ September 6, 2005

Public Involvement

- ◆ September 28, 2005
- ◆ October 12, 2005

*Joint Charlotte County MPO &
Sarasota/Manatee MPO LRTP*

Coordination Meetings

- ◆ November 11, 2004
- ◆ December 8, 2004
- ◆ March 3, 2005
- ◆ May 12, 2005
- ◆ October 17, 2005

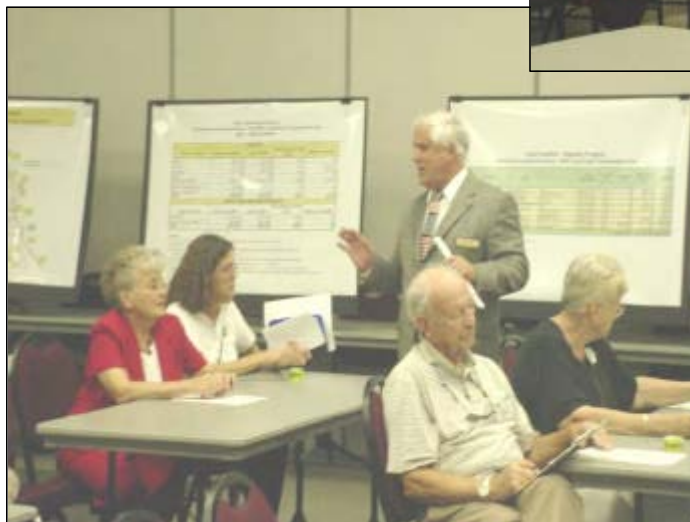
Public Workshop

A formal Public Workshop was held on Wednesday, November 2nd 2005 at the Cultural Center of Charlotte County, Conference Room A, 2280 Aaron Street, Port Charlotte, Florida from 3:00 pm to 6:00 pm. The Workshop was advertised in local newspapers on October 26th and November 2nd 2005.

Scheduled Public Hearing

A formal Public Hearing to adopt the 2030 Long Range Transportation Plan Summary Report will be held at the December 12, 2005 MPO Board Meeting

at 2:00 pm. The Public Hearing will be advertised in local newspapers on November 11th and December 5th 2005.



Contact the MPO

How to Contact the MPO

The Charlotte County-Punta Gorda Metropolitan Planning Organization conducts transportation planning activities for the City of Punta Gorda and Charlotte County. If you are interested in the activities of the MPO or would like to provide input to the transportation planning process, please contact the MPO.

Contact:

Mr. Mark L. Gumula, AICP
MPO Director

Charlotte County – Punta Gorda Metropolitan Planning Organization

28000 Airport Road, A-6
Punta Gorda, FL 33982-2409
Tel. (941) 639-4676 Fax (941) 639-8153
Email: Bekie@ccmpo.com
Website: www.ccmpo.com



All meetings of the MPO Board and its committees are open to the public. Any person requiring special accommodations to participate in this meeting, should contact the Charlotte County-Punta Gorda Metropolitan Planning Organization prior to the meeting by calling (941) 639-4676; if you are hearing or speech impaired, call (800) 955-8770 Voice/(800) 955-8771 TDD. The MPO's planning process is conducted in accordance with Title VI of the Civil Rights Act of 1964 and related statutes. Any person or beneficiary who believes he or she has been discriminated against because of race, color, religion, sex, age, national origin, disability, or familial status may file a complaint with the Florida Department of Transportation District One Title VI Coordinator Jacquelin Brown at (863) 519-2757 or by writing her at Post Office Box 1249, Bartow, Florida 33831.

Charlotte Harbor Community Redevelopment Plan

Appendix C

TAX INCREMENT PROJECTIONS 2006 - 2015

CHARLOTTE HARBOR CRA

Year	Frozen Tax Base	Property Tax Value	Projected Improvement Value	Total Increase in Property Value	Increase Value	Mileage Rate	TIF
2003	\$122,374,571						
2004	\$122,374,571	\$133,567,820			\$11,193,249		\$50,731
2005	\$122,374,571	\$138,502,987			\$16,128,416	5.3709	\$82,293
2006	\$122,374,571	\$146,813,166	\$32,900,000	\$179,713,166	\$57,338,595	5.3709	\$292,562
2007	\$122,374,571	\$190,495,956	\$26,640,000	\$217,135,956	\$94,761,385	5.3709	\$483,506
2008	\$122,374,571	\$230,164,114	\$4,300,000	\$234,464,114	\$112,089,543	5.3709	\$571,921
2009	\$122,374,571	\$248,531,960	\$42,100,000	\$290,631,960	\$168,257,389	5.3709	\$858,509
2010	\$122,374,571	\$308,069,878	\$47,800,000	\$355,869,878	\$233,495,307	5.3709	\$1,191,376
2011	\$122,374,571	\$377,222,071	\$40,000,000	\$417,222,071	\$294,847,500	5.3709	\$1,504,417
2012	\$122,374,571	\$442,255,395	\$40,000,000	\$482,255,395	\$359,880,824	5.3709	\$1,836,240
2013	\$122,374,571	\$511,190,719	\$15,000,000	\$526,190,719	\$403,816,148	5.3709	\$2,060,413
2014	\$122,374,571	\$557,762,162	\$2,500,000	\$560,262,162	\$437,887,591	5.3709	\$2,234,258
2015	\$122,374,571	\$593,877,891	\$2,500,000	\$596,377,891	\$474,003,320	5.3709	\$2,418,533
Total							\$13,584,758

Assumptions

- Assume the millage rate is constant at 5.3709 for the next ten years
- Assume a six percent (6%) increase in property values from 2005 to 2015
- Assume in 2006 that Dunkin Donuts, 1 commercial industrial building, 2 buildings in Central Park development, and 8 buildings in the Preserve are added to the tax roll.
- Assume in 2007 that Rooms To Go, KFC, McDough Warehouse, 2 additional industrial buildings, 3 rebuilt residential buildings, plus 7 more buildings in Central Park Office Park and the remaining units at the Preserve are added to the tax roll.
- Assume in 2008 that McDonalds, one commercial office building, Nissan Auto, Auto Repair and Tamiami Motors are added to the tax roll.
- Assume in 2009 that a portion of the MF development on Harborview, car wash, 2 commercial condos, bank building, MF affordable housing units, and an auto repair are added to the tax roll.
- Assume in 2010 that the remaining portion of the MF development on Harborview, 4 commercial buildings, Rainbow Flea Market and Carpet World are renovated or rebuilt, 10 new residential units are added to the tax roll.
- Assume in 2011 that one mixed-use waterfront development is added to the tax roll.
- Assume in 2012 that a Mixed Use project in the Riverwalk is on the tax roll.
- Assume in 2013 a mixed use water front project and 10 new residential units are added to the tax roll.
- Assume in 2014 that 10,000 sq. foot commercial building space on US41 is developed and on the tax roll.
- Assume in 2015 that 10,000 square feet of commercial space on US41 is developed and added to the tax roll.

FILE 1131131 OR BK 02370 PG 1190 REC'D 12/29/2003 07:56:37 AM
BARBARA T. SCOTT, CLERK, CHARLOTTE CO
REC 37.50

ORDINANCE
NO. 2003- 078

AN ORDINANCE PROVIDING FOR FUNDING OF THE CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AREA TRUST FUND; CREATING SECTIONS 3-9-50.8 THROUGH 3-9-51.5 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR A SHORT TITLE; PROVIDING FOR DEFINITIONS; PROVIDING FOR ANNUAL APPROPRIATIONS TO THE FUND BY TAXING AUTHORITIES; PROVIDING A FORMULA FOR DETERMINING THE AMOUNTS OF ANNUAL APPROPRIATIONS; PROVIDING FOR IMPLEMENTATION AND MANAGEMENT OF THE FUND BY THE BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHARLOTTE COUNTY COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR AN ANNUAL AUDIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Part III of Chapter 163 *Florida Statutes* sets forth the Community Redevelopment Act of 1969 (the "**Act**"); and

WHEREAS, the Act sets forth mechanisms for the identification and elimination of blight in local communities; and

WHEREAS, Charlotte County is a political subdivision of the State of Florida; and

WHEREAS, on November 3, 1992, the Board of County Commissioners of Charlotte County ("**Board**") adopted Resolution Number 92-251 pursuant to the Act which established the Charlotte Harbor Community Redevelopment Area ("**Charlotte Harbor**"); and

WHEREAS, Resolution Number 92-251 sets forth certain findings of fact relating to the existence of slum and blighted areas within Charlotte Harbor; and

WHEREAS, on November 3, 1992, the Board adopted Resolution Number 92-251 pursuant to the Act; and

WHEREAS, Resolution Number 92-251 declares the Board to be the Charlotte County Community Redevelopment Agency (the "**Agency**") and appoints the Board's members as members of the Agency; and

WHEREAS, on November 15, 1994, the Board enacted Ordinance No. 94-67, Ordinance No. 94-68 and Ordinance No. 94-69 which amended the Future Land Use Element of the Charlotte County/City of Punta Gorda Comprehensive Plan to provide for a Community Redevelopment Plan for the elimination of slums and blighted areas within Charlotte Harbor (the "**Plan**"); and

WHEREAS, Section 163.387(1) of the Act establishes a redevelopment trust fund for each community redevelopment agency for the financing of community redevelopment pursuant to an approved community redevelopment plan; and

WHEREAS, the Board desires to fund the redevelopment trust fund for Charlotte Harbor pursuant to the tax incremental financing provisions of the Act in order to implement the Plan and to engage in other activities authorized by law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA:

Section 1. The Code of Laws and Ordinances of Charlotte County is amended by adding sections to be numbered Section 3-9-50.8 through Section 3-9-51.5 which shall read as follows:

"Section 3-9-50.8. Charlotte Harbor Community Redevelopment Area Tax Increment Financing.

Section 3-9-50.9 Short Title.

Sections 3-9-50.8 through 3-9-51.5 shall be known as the "Charlotte Harbor TIF Code."

Section 3-9-51. Definitions

Unless specifically defined below or elsewhere in this Ordinance, words and phrases used in this Code shall be ascribed a meaning which they have in common usage and which gives this Code its most reasonable application

Fund shall mean the Charlotte Harbor Community Redevelopment Area Trust Fund.

Increment(s) shall mean amounts Taxing Authorities are required to appropriate to the Fund on an annual basis as determined by a formula set forth hereafter.

Taxing Authority(ies) shall mean the State of Florida, Charlotte County and any authority, special district (as defined in Section 165.031(5) *Florida Statutes*) or other public body of the state, except a school district, library district, neighborhood improvement district created pursuant to the Safe Neighborhoods Act, metropolitan transportation authority, water management district created under Section 373.069 *Florida Statutes*, a special district that levies ad valorem taxes on taxable real property in more than one county or a special district the sole source or revenue of which is ad valorem taxes on the effective date of this Code.

Section 3-9-51.1. Funding of Community Redevelopment Trust Fund.

In accordance with Section 163.387 of the Act, the Board hereby provides for the funding of the Fund. Monies allocated to and deposited into the Fund and monies

earned by the Fund are hereby appropriated to the Agency for the purposes set forth in the Plan and all other activities authorized by law.

Section 3-9-51.2. Annual Appropriation of Tax Increment.

(a) The Fund shall be funded in an annual amount that is not less than the Increment of each Taxing Authority.

(b) The Increment shall be determined and appropriated annually. The Increment shall be an amount equal to ninety-five per cent (95%) of the difference between:

(1) The amount of ad valorem taxes levied each year by each Taxing Authority, exclusive of any amount from any debt service millage, on taxable real property within Charlotte Harbor; and

(2) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each Taxing Authority, exclusive of any amount from any debt service millage, upon the total of the assessed value of the taxable real property in Charlotte Harbor, as shown on the most recent assessment roll used in connection with the taxation of real property in Charlotte Harbor by each Taxing Authority prior to the effective date of this Code.

Section 3-9-51.3. Obligation of Taxing Authorities to Appropriate Funds Annually.

(a) Commencing on the effective date of this Code, each Taxing Authority shall appropriate a sum that is no less than the Increment specified in Subsection 3-9-51.2(b) above to the Fund by January 1 of each year. Except as provided in Subsection 3-9-51.3 (c) below, the Taxing Authorities' obligation to annually

appropriate the Increments shall continue for so long as any indebtedness pledging Increment revenues for the payment thereof is outstanding, but shall not exceed thirty (30) years. If the Plan is amended, each Taxing Authority shall make the annual appropriation for a period not to exceed thirty (30) years from the date that the Plan is amended.

(b) Any Taxing Authority that does not pay an annual Increment to the Fund by January 1 shall pay the Fund a penalty of five per cent (5%) of the outstanding Increment together with one percent (1%) interest thereon for each month that the Increment is outstanding.

(c) Notwithstanding the provisions of Subsection 3-9-51.3(a) above, Charlotte County's obligation to annually appropriate the Increment shall continue until all loans, advances, and indebtedness, if any, and interest thereon, undertaken or incurred by the Agency as a result of redevelopment in Charlotte Harbor have been paid.

Section 3-9-51.4. Fund Implementation.

(a) Prior to the expenditure of any Increment revenue, the recipient or the user of the revenue, the amount of the revenue to be expended, and the deadline for expenditure shall be specified. Each appropriation shall be reviewed every five (5) years. An appropriation shall be discontinued in the event that it is not renewed or approved for another five (5) years.

(b) Monies in the Fund may be expended from time to time for the following purposes, when directly related to financing or refinancing of redevelopment in Charlotte Harbor pursuant to the Plan:

(1) Administrative and overhead expenses necessary or incidental to Plan implementation.

(2) Expenses of redevelopment, planning, surveys and financial analysis, including the reimbursement of Charlotte County or the Agency for such expenses incurred before the Plan was approved or adopted.

The acquisition of real property in Charlotte Harbor.

Capital projects approved by the Board.

The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in Section 163.370 of the Act.

(6) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes and any other form of indebtedness.

All expenses incidental to or connected with the issuance, sale, redemption, retirement or purchase of Agency bonds, bond anticipation notes or other forms of indebtedness including funding of any reserve, redemption or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes or form of indebtedness.

(c) The Agency shall establish and set up the Fund and develop and promulgate rules, regulations, and criteria whereby the Fund may be promptly and effectively administered.

(d) The Agency shall establish and maintain books and records and adopt procedures to enable the Agency to utilize monies in the Fund for their stated purposes without undue delay.

On the last day of the Agency's fiscal year, any money remaining in the Fund after payment of expenses shall be:

(1) Returned to each Taxing Authority which paid the Increment in the proportion that the amount of the payment of such Taxing Authority bears to the total amount paid into the Fund by all Taxing Authorities within Charlotte Harbor for that year;

(2) Used to reduce the amount of any indebtedness to which Increment revenues are pledged; or

(3) Deposited into an escrow account for the purpose of later reducing any indebtedness to which Increment revenues are pledged.

Section 3-9-51.5. Fund Management. Independent Audit.

The Agency shall be responsible for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the Fund, subject to the relevant provisions of Florida law, the Plan and this Code

(b) The Agency shall provide for an independent financial audit of the Fund each fiscal year and a report of the audit. The report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from the Fund during the fiscal year and the amount of principal and interest paid during the year on any indebtedness to which is pledged Increment revenues and the remaining amount of the indebtedness. The Agency shall provide a copy of the report to each Taxing Authority."

Section 2. Conflict With Other Ordinances. The provisions of this ordinance shall supersede any provisions of existing ordinances in conflict herewith to the extent of said conflict.

Section 3. Severability. If any provision of this ordinance is for any reason held unconstitutional or invalid, the remainder of this ordinance shall not be affected.

Section 4. Effective Date. This ordinance shall become effective upon filing in the Office of the Secretary of State, State of Florida.

PASSED AND DULY ADOPTED this 9 day of December 2003.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By Matthew D. DeBoer
Matthew D. DeBoer, Chair

ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-Officio
Clerk to the Board of County
Commissioners

By Anne L. Gahler
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Renée Francis Lee
Renée Francis Lee, County Attorney

P:\WPDATA\LOUIS\CharHarCRA
Tax\IncFin\Finals\Ordinance 12.5.03

OR BOOK 02370 PAGE 1197

Charlotte Harbor Community Redevelopment Plan

Appendix D

Appendix D. Regulatory Framework

Charlotte Harbor Community Development Code

Section 3-9-50.1. Intent, Applicability, and Boundaries.

(a) **Intent.** Where the comprehensive plan may not be specific, the regulations contained within this Charlotte Harbor Community Development Code are intended to reinforce the comprehensive plan by assigning specific land use and zoning categories which are permitted, and which are prohibited, in existing zoning designations; and to establish new standards for development to existing development regulations within the boundaries of the Charlotte Harbor CRA. In addition, these regulations are intended to accomplish one or more of the following purposes:

- (1) Invigorate the economic and social vitality of the Charlotte Harbor CRA;
- (2) Protect the unique character of the existing single-family and medium density (multi-family) residential communities within the Charlotte Harbor CRA;
- (3) Provide for neighborhood business and commercial uses to serve the Charlotte Harbor CRA and the community as a whole;
- (4) Enhance Charlotte Harbor's community identity and sense of place through the design and placement of different land uses, buildings, and streets to create a distinct Charlotte Harbor community;
- (5) Improve the character and prevent permanent decline of property values within the Charlotte Harbor CRA by controlling nuisances and ensuring that land uses which may contribute to the degradation of the community and possible criminal activity not be tolerated near residential areas; and that the design and placement of different land uses, buildings, streets, and other amenities (such as sidewalks and street lights) ensure that the public's health, welfare, and safety is protected;
- (6) Reduce traffic demand on streets within the Charlotte Harbor CRA to permit sidewalks and reduce traffic noise, velocity, and air pollution;

- (7) Use buildings, trees, street width modifications, curbs (where applicable), sidewalks and bicycle paths to create a shaded and diverse, but harmonious and safe environment that works for pedestrians as well as for motorized vehicles;
- (8) Emphasize the use of incentives such as reduced parking requirements and mixed land uses to achieve a balance of retail, service, office, and residential uses within convenient walking distance of each other, which is a characteristic of a healthy community;
- (9) Implement a parking code that treats parking as an element of public infrastructure in an urban center (instead of a private matter in a strip center) and that recognizes the benefits of shared parking in a vertically mixed development, and the opportunities of a bicycle/pedestrian system;
- (10) Utilize the existing development review process that is timely, predictable, and requires a review of projects to ensure conformity with existing codes and the new specifications provided in this Charlotte Harbor Community Development Code;
- (11) Protect the canopy of existing trees and native trees to the maximum extent possible, promote continuity of development, and reduce the amount of stormwater runoff associated with the use of compacted fill material typically used for site preparation, by providing flexibility with county development regulations for parking and setback requirements, through the development review process, and by designating "no fill" areas (see "no fill" area map) where only pilings and stemwalls shall be used for all construction except the minimum amount of fill necessary within the building footprint and for drainfields associated with on-site waste treatment and disposal systems as required by federal, state or local statute, ordinance, law, rule, or regulation.
- (12) Establish sign regulations and design standards that will promote safety, protect and preserve the aesthetic and visual environment, character and quality of the Charlotte Harbor CRA and protect the value of property contained therein, create a more attractive economic and business climate, reduce urban and visual clutter, eliminate nuisance forms of advertising by ensuring that signs are compatible with surrounding land uses and buildings and will not adversely impact aesthetics, community character and quality of life within the Charlotte Harbor CRA, or promote signs and design standards that will not, by their size, type, location, construction or manner of display, endanger the safety of individuals, confuse or mislead, or obstruct the vision necessary for traffic safety of the Charlotte Harbor CRA;
- (13) Provide private property owners and businesses within the Charlotte Harbor CRA with the flexibility to develop innovative, creative, and effective signage and building design to improve the aesthetic and visual qualities of the Charlotte Harbor CRA.

(b) ***Applicability.*** In addition to any requirements contained elsewhere in the Code, the requirements of this Charlotte Harbor Community Development Code shall apply to any subdivision, special exception, variance, development review committee approval, site plan approval, planned development rezoning approval, building permit or sign permit, or any other official action of the county having the effect of permitting development and shall be in addition to each and every other requirement of the Code or any application for any of the preceding. In the event of any conflict between applicable provisions of the Code and this Charlotte Harbor Community Development Code regarding a specific application or development, the more restrictive shall apply.

(c) ***Boundaries and Zoning Atlas.*** The boundaries of the Charlotte Harbor CRA shall be as delineated on Map No. 25 of the Future Land Use Map Series of the 1988 Charlotte County Comprehensive Plan and as adopted by the Board in Resolution 92-251. The Charlotte County Zoning Atlas shall reflect the zoning designations for the Charlotte Harbor CRA initially adopted by Ordinance 96-011, and any subsequent amendments thereto.

Section 3-9-50.2. Terms

Terms used in this Charlotte Harbor Community Development Code shall take their commonly accepted meaning unless otherwise defined in this Section or in the Code. When there are terms defined both in this Section and elsewhere in the Code, the definitions for such terms contained in this Section shall control. In the Charlotte Harbor Community Development Code, the terms set forth in Appendix "A" attached hereto and by reference made a part hereof shall have the meaning ascribed to them in Appendix "A".

Section 3-9-50.3. Development review procedure.

(a) ***Pre-application conference.*** Prior to submitting an application for any type of development to the county, an applicant shall submit a request for a pre-application conference and shall set such a pre-application conference with CRAC or its designee (a member of CRAC duly appointed by CRAC as the representative) to review, discuss, and receive recommendations from CRAC regarding the proposed development's consistency and compliance with the Charlotte Harbor Community Development Code. Such request for review shall be accompanied by sketches, site plans, or any other documentation required by CRAC, or its designee, to perform its review. CRAC, or its designee, shall review the proposed development for consistency and compliance with the Charlotte Harbor Community Development Code. At the conclusion of the review, CRAC, or its designee, will date and sign the applicable sketch, site plan, or other submitted documentation, or will prepare written comments regarding the proposed development with recommendations or notations as appropriate. Failure of CRAC to review a request for review of a proposed application within six (6) working days from the date all required information and documentation is received by the county shall forfeit CRAC's prerogative to participate in the review process for that proposed application. Any sketch, site plan, or other documentation submitted to the county for review and approval shall be consistent with the sketch, site plan, or other documentation reviewed and signed by CRAC for the same proposed development.

(b) ***Application for development review.*** Any application for any development within the Charlotte Harbor CRA shall adhere to the review and process requirements applicable to the development proposed by such application which are set forth in the Code. In addition, if a pre-application review by CRAC is required for any particular development, the sketch, site plan, or other documentation or written comments, dated and signed by CRAC, or its designee, for that development shall be included with the application.

(c) ***Review.*** A complete application shall be reviewed and acted on by the appropriate county staff in the time provided in the Code for such application with an additional five (5) working day extension to provide for any additional review required for compliance with this Charlotte Harbor Community Development Code.

(d) ***Established nonconformities.*** Established uses or structures, not including signs, within the Charlotte Harbor CRA shall not be rendered nonconforming by the provisions of this Charlotte Harbor Community Development Code. Such structures and uses within the Charlotte Harbor CRA shall be treated as if they were conforming for the duration of the structure or use. If an existing use ceases for more than one hundred twenty (120) consecutive days, such use shall not be re-established if such use would not be in compliance with the provisions of this Charlotte Harbor Community Development Code, except when such cessation of use is caused by a catastrophic event beyond the property owner's control. Notwithstanding the foregoing, in the event an application to change the use of a property from a use not permitted under this Charlotte Harbor Community Development Code to that of a conforming use is approved, the property and all development thereon must comply with all the provisions of this Charlotte Harbor Community Development Code upon approval of such application, and any established uses or structures thereon shall be considered nonconforming thereafter.

Section 3-9-50.4. Signs in the Charlotte Harbor CRA.

(a) ***Applicability.***

(1) Any sign located in the Charlotte Harbor CRA that is erected, constructed, installed or altered shall conform to the provisions and conditions of this Section.

(2) These regulations are intended to complement, not supersede, all other regulations and requirements applicable to signs, including, but not limited to, building and electrical codes, adopted by the county. Where there may be any inconsistency between this Section and any other regulation or requirement, the more restrictive provisions shall apply.

(3) This Section shall also supersede those regulations applicable to signs set forth in Section 3-9-95 of the Code, except where otherwise indicated.

(4) In the event of any conflict between the provisions of this Section and the CRA Design Requirements enacted pursuant to Section 3-9-50.6 of the Charlotte Harbor Community Development Code, as amended, the provisions of this Section shall prevail to the extent of such conflict.

(5) The requirements of this Section shall be limited to properties located within the Charlotte Harbor CRA.

(6) Notwithstanding any other provisions of this Charlotte Harbor Community Development Code to the contrary, any sign, display or device allowed under this Charlotte Harbor Community Development Code may contain, in lieu of any other copy, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or to a commodity or service for sale, and that complies with all other requirements of the Code and this Charlotte Harbor Community Development Code.

(b) *General Restrictions.*

(1) Prior to the erection, construction, installation, or alteration of any sign, a permit shall be applied for and obtained from the county building department, subject to the prior approval of the zoning official and CRAC, or its designee, all in accordance with Section 3-9-50.3 hereof and any other applicable provisions of the Code, unless such sign is specifically exempt in Section 3-9-50.4(d) from the requirement for a permit. Normal maintenance as defined by the Florida Building Code, painting or repairs to existing signs, which do not alter the message, size, or height of the sign, shall not be deemed alterations within the meaning of this Section, unless the activity involves removal and reinstallation of a sign face. Signs must be erected, constructed, installed or altered in accordance with a properly issued permit within one year from the issuance of the permit.

(2) No sign attached to a building shall project horizontally beyond the end of the wall or vertically above its roof or in the case of a parapet wall vertically above the top of the parapet wall.

(3) No sign shall be located in a required side or rear yard where the lot abuts or is separated only by a right-of-way from a residential use.

(4) No sign of any type or classification, including an exempt sign, shall be erected, altered or maintained in such a location or position so that an unfinished side may be visible from off the site containing the sign.

(5) No sign shall be constructed or erected in a manner that interferes with any utility, communications or cable infrastructures without the prior authorization of the applicable utility, communications, or cable company.

(6) No private sign, including an exempt sign, shall be erected, altered or maintained over or upon any public property or public right-of-way, unless otherwise permitted in Sections 3-9-50.4 (d) 4, 9, 10 and 20, or 3-9-95(i)(14) of the Code.

(7) No Class B signs shall be permitted in any zoning district in the CRA.

(8) One Primary Class A sign shall be allowed for each street frontage on which the lot or parcel containing the Primary Class A sign abuts. In addition, one Secondary Class A sign per occupant on the lot or parcel shall be allowed for each street frontage on which the lot or parcel abuts, if otherwise allowed under this Section 3-9-50.4.

(9) National and state flags, as the term "flag" is defined in Section 256.08, Florida Statutes, shall be displayed in accordance with Title 36, United States Code, Chapter 10, as amended by Public Law 344, 94th Congress, approved July 7, 1977, and Chapter 256, Florida Statutes.

(10) Any Primary Class "A" sign containing a changeable message device must be a monument sign.

(c) ***Prohibited signs.*** The following shall be prohibited:

(1) Any sign prohibited under Chapter 479, Florida Statutes, pertaining to outdoor advertising.

(2) Any sign that constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, coloring or method of illumination, or by obstructing the vision of drivers, or by obstructing or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections or access facilities.

(3) Any sign that constitutes a traffic or pedestrian hazard or a detriment to traffic or pedestrian safety by obstructing the vision of pedestrians.

(4) Any sign preventing free ingress or egress from any door, window, fire escape or other entrance or exit to any building, or any sign attached to a standpipe or fire escape.

(5) Any sign which is obscene or constitutes a public nuisance.

- (6) Any Primary Class A or Secondary Class A sign advertising an establishment no longer in business or a product no longer available. Such signs must have the facing(s) removed or be razed completely within 30 days after the establishment is no longer in business or the product is no longer available.
- (7) Snipe signs.
- (8) Portable illuminated signs, revolving or whirling signs, animated signs or wind signs.
- (9) More than 2 national or state government flags displayed per principal building.
- (10) Signs erected on the right-of-way of any public or private street, road or right-of-way, except:
 - (A) Signs required by federal, state or local law to be erected by a governmental agency; and
 - (B) As specifically allowed in Sections 3-9-50.4 (d) 4, 9, 10 and 20, or 3-9-95(i)(14) of the Code.
- (11) Roof signs.
- (12) Any sign that is attached, painted on, or placed onto or inside a parked vehicle that is used primarily for advertising any matter other than the sale or rental of the vehicle itself. This is not intended to prohibit vehicle signs on a truck, bus, trailer, taxi or other vehicle parked on its own premises while in the course of business, provided that the primary use of the vehicle is not for the purpose of advertisement. Vehicles must be operable and licensed.
- (13) Blank temporary signs.
- (14) Signs that emit audible sound, odor or visible matter, such as smoke or steam.
- (15) Class B signs, except as exempted under Section 3-9-50.4(d)(18).
- (16) Serial signs.
- (17) Any model residential unit flag(s) or banners(s) on the property of a model residential unit, except for the first 30 days after the model receives a certificate of occupancy.

(18) Neon signs.

(19) Flashing signs.

(d) *Exempt Signs.* The following on-site signs may be erected, constructed or installed without first obtaining a permit and paying any fees; provided, however, all other provisions of the Code are met and, provided further, that if a sign exceeds the limits contained in this Section, an application for a sign permit and payment of the permit fee shall be required:

(1) One professional nameplate for each person or entity located at a site, not exceeding 2 square feet in area.

(2) One identification sign which may also include changeable copy for educational, charitable, religious or other similar instructional uses not exceeding 12 square feet each, not more than 6 feet high in a residential zoning district.

(3) One sign advertising daily or weekly specials, not exceeding 4 square feet maximum, which sign may be handwritten.

(4) Street address sign meeting all requirements in the Code governing such signs.

(5) Dedicatory tablets or memorial plaques setting forth the name or erection date of a building, commemorating a person or persons and like uses. Such signs shall be cast in metal or engraved in stone or concrete or otherwise suitably inscribed in or on a monumental material and affixed to the applicable building.

(6) One occupational sign not exceeding 2 square feet in area listing the name, location and business of an occupant within a building.

(7) One identification sign at the entrance to residences, estates, ranches and like uses, which does not exceed 4 square feet in area.

(8) A vehicle sign located on a licensed and operable truck, bus, trailer, taxi or other vehicle which is being operated or parked at the location of the business, provided that the primary use of said vehicle is not for the purpose of the advertisement. Such vehicles shall only be parked in paved parking areas immediately surrounding loading/delivery areas or in the closest non-handicapped parking space to the primary entrance of the business advertised on the vehicle. In no case shall such vehicle be parked in the right-of-way.

(9) Non-advertising directional signs, symbols, or devices relating to traffic, parking, public services, facilities or warnings on private property. Such signs include, but are not limited to, "entrance", "exit", "slow", "no trespassing", "restrooms", and "telephones". These signs shall not exceed 4 square feet in area or contain any advertising matter other than a logo or business name.

(10) Traffic or other directional or traffic control signs or devices erected by any federal, state or local government or department or agency thereof.

(11) A maximum of two (2) entrance signs giving the name of a subdivision, provided that:

(A) No such sign exceeds 12 square feet;

(B) Such sign shall be located only at the main entrance; and

(C) Such sign shall not contain any other advertising.

(12) One sign, not exceeding 24 square feet in area, advertising a model residential unit located on the same parcel as the model and located a minimum of 10 feet from any adjoining property lines. The sign may not be erected until commencement of construction. No other sign, banner, flag or pennant shall be permitted in residential zoning districts after the 30-day period for the grand opening of residential model units, except as permitted in Section 3-9-50.4(c)(17).

(13) Political signs shall be regulated pursuant to Section 3-9-95 of the Code and Section 106.1435, Florida Statutes.

(14) Any flag, other than a national or state government flag, or identification sign or insignia of any civic, charitable, religious or fraternal organization. No such flag, identification sign or insignia shall be placed above a sidewalk, walkway, alley, driveway or public or private roadway or right-of-way.

(15) Flags indicating weather conditions.

(16) One or more direction signs for a church, school, public assembly facility or hospital/emergency room located on a local road, provided such sign(s) are not more than 8 square feet in area, and are not located in a right-of-way.

(17) Community identification signs not exceeding 100 square feet excluding wall(s) area for entry feature(s).

(18) Class B signs located along the inside perimeter of the athletic field fences of any athletic field owned or operated by the county or the Charlotte County School Board; provided that such advertising copy is not purposely positioned to be visible from a public or private roadway or right-of-way.

(19) One or two national or state government flags displayed per single "principal building", as such phrase single "principal building" is defined in Section 3-9-2 of the Code. No such pole shall be placed above a sidewalk, walkway, alley, driveway or public or private roadway or right-of-way so as to obstruct passage or to create a safety hazard. The requirements of Title 36, United States Code, Chapter 10, as amended by Public Law 344, 94th Congress approved July 7, 1976, and Chapter 256, Florida Statutes, concerning United States or state flags shall apply to any flag governed by this subsection.

(20) A directional or identification monument sign structure in the right-of-way adjacent to U.S. Route 41 (Tamiami Trail) in the Charlotte Harbor CRA for a church or house of worship, or service organization, fraternal organization, or charitable organization; provided the individual sign for each subject shall not exceed 4 square feet.

(e) ***Temporary Signs.***

(1) The Director may issue a permit to erect a temporary sign, as follows:

(A) The Director may require reasonable conditions as are necessary to protect the public health, safety and general welfare, and public and private property; and

(B) A permit approval shall not exceed 30 days within any 6 month period; and

(C) Temporary on-site signs shall be allowed to address grand openings or special occasions, such as civic events or promotions, car, boat or craft shows, carnivals, parking lot sales, annual and semiannual promotions or other similar events, provided that:

(i) The temporary sign may be erected not more than 14 days prior to the event and shall be removed not more than 24 hours after the event closes; and

(ii) A maximum of 2 signs shall be allowed on-site in such a manner as to not create any traffic or pedestrian hazard, limited to an area of 24 square feet for each sign.

(D) A developer may erect temporary model residential unit flags or banners; provided that there are no more than 4 flags or banners on the property of a model residential unit and that the flags remain only for the first 30 days after the model receives a certificate of occupancy. Such flags or banners are prohibited thereafter. In addition, when a model residential unit abuts an arterial or collector road, such temporary flags or banners may be displayed only while the model is open for business.

(E) All otherwise permitted signs may be used as temporary signs, provided that the sign shall otherwise comply with all requirements for that sign, pursuant to the requirements listed in this Section.

(2) The following shall not be deemed temporary signs and shall not be subject to the preceding requirements of this subsection:

(A) Holiday decorations.

(B) One sign denoting the architect, engineer and contractor for work under construction on the premises where the construction occurs, not exceeding twenty-four (24) square feet plus individual signs of subcontractors not exceeding (4) square feet each. No signs under this subsection are to be erected on a site until work authorized under a building permit issued for the site has commenced. All signs under this subsection shall be removed no later than one week after a certificate of occupancy is issued or, for repairs, remodeling or additions, one week after the final inspection.

(C) Signs advertising current or future construction or financing on a parcel, provided that:

(i) In any residential zoning district, one sign not exceeding 24 square feet shall be allowed for a period not to exceed 6 months or until issuance of the certificate of occupancy, whichever occurs first, which sign shall be removed upon issuance of final certificate of occupancy.

(ii) In any nonresidential zoning district, one sign shall be allowed per street frontage, not exceeding 40 square feet and not exceeding a time period of 6 months or until issuance of final certificate of occupancy, whichever occurs first, which sign shall be removed upon issuance of final certificate of occupancy.

(D) Signs advertising property for sale or rent, provided that:

(i) One sign not exceeding 4 square feet in area, excluding the rider, shall be allowed per single-family residential lot or residence, except lots or residences which are located on navigable bodies of water shall be allowed one additional sign of 4 square feet facing the body of water on which the property abuts.

(ii) One sign not exceeding 20 square feet in area shall be allowed per parcel or lot of property zoned or used as a nonresidential use of five acres or larger in area. The foregoing shall not apply to individual, nonresidential units.

(iii) One sign not exceeding 10 square feet in area shall be allowed per parcel, lot or individual nonresidential unit for property zoned for or used as a nonresidential use of less than five acres in area.

(iv) All signs shall be removed no later than one week after the sale or lease of the property.

(3) Signage in connection with tent sales, pursuant to Section 3-9-95.1 of the Code, shall only be displayed during the duration of the tent sale.

(4) Flags, other than national or state government flags, that meet the restrictions contained in this subsection. Such flags shall only be allowed at a ratio of 2 per 50-foot of road frontage, and the number of flags shall not exceed 8 at any location. No flag shall be placed above a sidewalk, walkway, alley, driveway or public or private roadway or right-of-way. A site may not erect flags more than twice in a calendar year. No such flag may remain on site for more than 14 days. In the event flags are erected on a site for less than 14 days, the remaining days shall be forfeited and cannot be applied to a second event. The 14-day and twice-per-calendar-year maximum time limit restrictions imposed in this subsection shall not apply to flags erected on any property owned and operated or leased by any federal, state, or local government or agency thereof.

(5) Banners or pennants erected in a nonresidential zoning district that meet the restrictions contained in this subsection. No banner or pennant shall be placed above a sidewalk, walkway, alley, driveway, or public or private roadway or right-of-way. No banner or pennant may remain on site for more than 14 consecutive days. A site may not erect banners or pennants more than twice in a calendar year. The 14-day time limit restrictions and twice-per-calendar-year maximum time limit restrictions imposed in this subsection shall not apply to banners or pennants erected on any property owned and operated or leased by any federal, state or local government or agency thereof. In accordance with Title 36, United States Code, Chapter 10, as amended by Public Law 344, 94th Congress approved July 7, 1976, and Chapter 256, Florida Statutes, the United States or state flags may not be used as a banner or a pennant.

(6) A temporary sign advertising activities of educational, religious, civic, fraternal, service, charitable or other nonprofit organizations or institutions may be permitted, if not in violation of other provisions of this Charlotte Harbor Community Development Code.

(7) Signs advertising open houses, provided that:

(A) No more than 3 signs, not exceeding 4 square feet each, may be erected, constructed or installed on the property where the open house is being conducted; and

(B) No more than 6 off-site directional signs, not exceeding 2 square feet each, shall be allowed; and

(C) All signs shall contain the name of the real estate broker or firm conducting the open house; and

(D) All signs relating to an open house shall be removed each day at the close of the open house or by dusk, whichever occurs first; and

(E) No sign shall be nailed, fastened or affixed to any tree, utility pole, street sign or any traffic control device.

(f) *Permitted Permanent Signs.*

The following permanent signs are permitted if not otherwise prohibited or defined as a temporary or an exempt sign under this Section, subject to the performance standards and requirements provided in the applicable subsection permitting such sign and any applicable requirements of this Charlotte Harbor Community Development Code:

(1) Class A Primary signs and Class A Secondary signs are permitted.

(2) Awnings are permitted as follows:

(A) Permanently fixed or retractable awnings over private property are permitted; and

(B) Permanently fixed or retractable awnings shall have a minimum clearance of 8 feet above a sidewalk or walkway and 18 feet above any alley or driveway; and

(C) Any lettering larger than 3 inches in height or symbols exceeding 4 square feet in area shall be included in the total area of signage allowed on the face of the building.

(3) Changeable copy signs (or reader boards) are permitted only as follows:

(A) Changeable copy sign for a theater or cinema incorporated in a Secondary Class A sign or in a separate facade-mounted changeable copy sign as follows:

- (i) Changeable copy signage limited to a maximum of 8 square feet per sign face; and
- (ii) The type of lettering shall be limited to plastic channel lettering, plastic card type lettering or raised wood lettering of typeset machine printed quality; and
- (iii) The maximum height of the lettering shall be 10 inches; and
- (iv) All types of freehand lettering and chalk on chalkboard surfaces are prohibited; and
- (v) The sign face may be illuminated or nonilluminated; and
- (vi) The signage shall otherwise comply with the applicable total sign area regulations; and
- (vii) This facade-mounted changeable copy sign may be part of a marquee.

(B) Changeable copy sign incorporated in the Primary Class A sign for a theater or cinema as follows:

- (i) Changeable copy signage limited to a maximum 8 square feet per auditorium or screen with multiple auditoriums or screens to a building maximum of 75 square feet per building;
- (ii) The sign box or sign face shall be set back a minimum of 50 feet from the road right-of-way if parking for the building is allowed in the front, or set back a minimum 25 feet if no parking is allowed in the front of the building; and

(iii) The type of lettering shall be limited to plastic channel lettering, plastic card type lettering or raised wood lettering of typeset machine printed quality; and

(iv) The maximum height of the lettering shall be 6 inches; and

(v) All types of freehand lettering and chalk on chalkboard surfaces are prohibited; and

(vi) The sign face may be illuminated or nonilluminated; and

(vii) The signage shall otherwise comply with the applicable total sign area regulations; and

(C) A freestanding changeable copy sign is permitted only if incorporated in an otherwise permitted Primary Class A Monument sign, except as provided in Section 3-9-50.4(f)(3)(C) below, as follows:

(i) The type of lettering shall be limited to plastic channel lettering, plastic card type lettering or raised wood lettering of typeset machine printed quality; and

(ii) The maximum height of the lettering shall be 6 inches; and

(iii) All types of freehand lettering and chalk on chalkboard surfaces are prohibited; and

(iv) The sign face may be illuminated or nonilluminated; and

(v) The signage shall otherwise comply with the applicable total sign area regulations. The changeable copy portion of the Primary Class A sign shall be included in the total area of which it is a part.

(4) Projecting signs are permitted as follows:

(A) A projecting sign shall not project more than 3 feet from the face of the building or structure; and

(B) A projecting sign shall not project over a public or private road right-of-way (excluding sidewalks); and

(C) A projecting sign shall have the minimum clearance of 8 feet above a sidewalk or walkway and 18 feet above an alley or driveway; and

(D) A projecting sign shall project from the wall and be at a 90 degree angle; and

(E) A projecting sign shall not extend vertically above the window sill of the second story of a building and shall not block the visibility of any other sign.

(F) The square footage of a projecting sign shall be included as part of the square footage allowed for Secondary Class A signs.

(5) Marquee signs are permitted as follows:

(A) A marquee sign shall be included in the calculation of the total area of signage allowed on the face of a building; and

(B) A marquee sign shall have the minimum clearance of 8 feet above a sidewalk or walkway and 18 feet above an alley or driveway.

(6) Canopy roof signs are permitted; provided, however, any area of the canopy roof which contains lettering, registered trademarks or service marks or copyrights, symbols, internal illumination, or decorative lights shall be considered a sign and shall comply with all the requirements of this Charlotte Harbor Community Development Code and shall be included in the total signage of Primary Class “A” signs.

(7) Window signs. Window signs shall cover no more than twenty percent (20%) of the glass area of a window. All signage shall be included as part of the square footage of secondary sign.

(g) *Area/Number of Signs.*

(1) The area of a sign (also referred to as surface area) shall be computed as including the entire area within the periphery of a single simple geometric form comprising all of the display area of the sign. The geometric form shall include all of the elements of the matter displayed, any address information, and blank masking, but not including frames or structural elements of the sign bearing no advertising matter.

(2) In the case of two-sided signs where all faces advertise a single facility, product or service, only one (1) face shall count toward the total aggregate area so long as:

(A) With respect to a V-type sign, up to ninety-degree angle, the two (2) sides are to be separated by a distance no less than one (1) foot and with the sign being totally intersected at one point: and

(B) With respect to a double-faced (back-to-back) sign, there can be no separation between the backs of each face of the sign other than the structural supports to which each sign face is attached. The maximum square footage of signs allowed in each zoning district within the Charlotte Harbor CRA is depicted in Table 1, below:

<i>Zoning District</i>	<i>Maximum square footage for a primary class “A” sign*</i>	<i>Maximum square footage per secondary class “A” sign</i>
Environmentally Sensitive	25	8
Coastal Residential	25	8
Residential Multi Family	25	8
Neighborhood Business Residential	50	15
Commercial General	75	25
Commercial Intensive	75	25
Commercial Tourist	75	25
Mixed Use	75	25
Planned Development	75	25
Industrial Light	75	25

** If a Primary Class A sign for a parcel or lot is a monument sign, the number of square feet or area allowed for the Primary Class A sign shall be limited to the number of linear feet or building frontage for all buildings located on the parcel or lot for which the Primary Class A sign is the principal advertising, plus 30% of the total number of such linear feet of building frontage. In no event shall the area of a Primary Class A sign which is a monument sign exceed 98 square feet.*

(C) Primary and Secondary Class A signs are prohibited for single family and duplexes, except in conjunction with a special exception or otherwise allowed in code.

(3) In addition to the limitations of Table 1, above, the following restrictions shall also apply:

(A) *Primary Class A signs.*

(i) If a Primary Class A sign for a parcel or lot is not a monument sign, the number of square feet of area allowed for the Primary Class A sign shall be limited to (1) square foot per linear foot of total building frontage of the lot or parcel. In no event shall the area of the Primary Class A sign which is not a monument sign exceed 75 square feet.

(ii) There shall be no more than one Primary Class A sign for any parcel or lot, regardless of how many buildings or businesses are located on such parcel or lot. In addition, there shall be no more than one Primary Class A sign for any one building, regardless of the number of parcels or lots on which the building is located, except as provided in Section 3-9-50.4 (b) (8).

(B) *Secondary Class A Signs.*

(i) An individual nonresidential occupant located within a multiple-occupancy structure of two or more establishments shall not be permitted an individual Primary Class A sign, but may display an individual Secondary Class A sign on the building in which the occupant is located.

(4) Address Numbers. Each commercial business shall install address numbers on a Primary Class "A" sign with lettering of 6" or more in height. Address numbers, or other address information for a commercial building, displayed on the primary display area of a sign shall not exceed 3 square feet in area comprised of the following dimensions: a maximum of 1 foot high by a maximum of 3 feet wide, or a maximum of 3 feet high by a maximum of 1 foot wide. Address numbers, or other address information for a building, and the accompanying background of sign face shall be included in the calculation of area of any sign in which they are contained or from which they are projected. Address numbers projected from the top of the primary display area of a sign shall not be used in calculating the height of that sign.

(h) *Location, Height and Setbacks.*

(1) A sign shall have a minimum clearance of 8 feet above a sidewalk or other walkway and 18 feet clearance above an alley, driveway, or public or private roadway.

(2) Unless otherwise specified in this Section 3-9-50.4, any Primary Class A sign that is a pole or pylon sign shall be 15 feet in height, except in environmentally sensitive and residential zoning districts, in which case the sign shall not exceed ten feet (10') in height. This shall not be a maximum height, but a uniform height for all Primary Class A signs that are pole or pylon signs in the Charlotte Harbor CRA. No address numbers projecting from the top of the display area of a Primary Class A sign shall be used in the calculation of the height of such sign, provided such address numbers meet all other applicable height and area requirements of the Code.

(3) Monument signs shall not exceed 10 feet in height. Monument signs are excluded from the uniform height requirement.

(i) *Illumination.*

(1) A sign may be lighted internally or externally, but illumination shall be shielded or indirect to prevent glare, reflection or shining onto any road, street, or adjacent property, unless otherwise regulated elsewhere in the Code.

(2) A sign in any residential district may not be illuminated, except for a sign identifying a place open to the public, a sign giving the name of a subdivision or community identification sign, such as ACLF or nursing home or other similar institution, a sign erected in conjunction with an approved special exception, principally permitted land uses or signs used in connection with essential services. Any sign permitted to be lighted may be lighted only indirectly in a manner that will prevent glare, reflection or shining onto any street or adjacent property.

(j) *Maintenance.*

(1) An owner shall maintain a sign in substantially similar condition as when the sign was originally permitted and erected. Such maintenance shall include periodic painting and replacement, including both the sign area and structure, or supporting structure, when necessary to achieve the substantially similar appearance as the originally permitted signs. The owner shall promptly repair, replace or remove any broken, worn or illegible elements of a sign, or sign awning or canopy. If the owner of the sign and the owner of the premises on which the sign is located are not the same, each shall be jointly and severally responsible for sign maintenance.

(2) The Director may give an owner of the sign and the owner of the premises on which the sign is located written notice of the failure of the owner of the sign to fulfill the maintenance obligation and order the owner of the sign to forthwith repair, replace or remove the sign. In the event that the owner of the sign fails, refuses or neglects to repair, replace or remove the sign as ordered within 30 days of the date of the notice, the Director may, on behalf of the county, cause the sign to be removed.

(3) Any sign that poses an immediate hazard or danger to either person or property, the Director may, in the Director's sole discretion, remove the sign without notice. The owner of the sign and the owner of the premises on which the sign is located and removed as allowed above shall be jointly and severally liable to the county for the actual cost of the removal of the sign.

(4) Any remedy for failure to maintain a sign or to abate a hazardous or dangerous sign contained in this subsection 3-9-50.4(j) shall not constitute the county's sole or exclusive remedy, and the county may avail itself of any available remedies at law or in equity.

(k) *Permits Required; Permit Fees.*

(1) All signs, except those exempt in Section 3-9-50.4(d), shall require a sign permit and the payment of a fee.

(2) Any person desiring to erect or alter a sign, except those exempt in Section 3-9-50.4(d) of the Code, shall file an application for a sign permit and pay the application fee to the Director. Normal maintenance to existing signs shall not be deemed alterations within the meaning of this Section and shall not require a permit or fee.

(l) *Applications for Permits.*

(1) Applications for sign permits shall be in a form approved by the Director. The application shall include a complete description of the proposed sign and any existing signs and a site plan indicating the proposed and existing signs' size and type and location on the property, elevations of all sign faces detailing height, width, length, square footage per sign face, size of lettering, colors, lighting utilized, including total lumens (wattage) as shown on the drawings and specifications for construction of the sign, sealed by a licensed engineer, the proximity of existing utility infrastructures with regard to the location of a sign, and the written consent of the owner of the property on which the sign is to be erected. The application for a temporary sign shall also include the date the sign is placed and the date it is to be removed.

(2) The Board shall determine the application fee for any sign permit.

(3) On receipt of an application, the Director shall forward the application to CRAC, or its designee, pursuant to the provisions of Section 3-9-50.3 of the Code. The Director shall also forward the application to the appropriate county staff who shall review the application and may make an inspection of the site to determine compliance of the proposed sign with the existing laws and regulations, and to determine the location and size of any existing signs on the premises.

(m) *Nonconforming Signs.*

(1) A person may continue to maintain a nonconforming sign; provided, however, that nonconforming signs are disfavored and that on occurrence of the first of any of the following events, the person shall make the sign conform to this Section:

(A) The sign is enlarged, repainted, reworded or the message of the sign changed (except only an exempt sign, or any changeable sign or a time and temperature sign), redesigned or altered pursuant to subsection (D) below.

(B) The sign is abandoned, removed, dismantled or relocated.

(C) The sign is determined by the Director to be a hazard to life, safety, property or welfare of the public;

(D) The sign has deteriorated or is damaged and the cost of repair or restoration, including actual market cost of labor and materials, of the sign equals or exceeds 50% of the current value of the sign as determined by the Charlotte County Property Appraiser's Office or as determined by a qualified appraiser.

(E) The sign is a Primary or Secondary Class A sign which advertises or calls attention to an occupant, a business, service, product or performance or event no longer in existence or available on the premises.

(F) When there is a change in ownership of the sign or the property on which the sign is located.

(G) Subject to the foregoing, any sign which existed and was maintained on the effective date of this Ordinance may be continued although such sign does not conform to all of the provisions of this Section; provided that all such nonconforming signs, supporting members and electric components shall be completely removed from the premises or brought into conformance with these requirements not later than January 1, 2010; provided, however, that nothing herein shall be construed as permitting the continuance of any illegal or prohibited sign.

SIGNS APPENDIX "A"

Access (vehicular): The principal means of vehicular ingress and egress to abutting property from a street, right-of-way or easement.

Alter or alteration: Any change in size, shape, character or use of a structure, including, but not limited to a change, rearrangement or reconstruction of the structural parts and the moving from one location or position to another. Normal maintenance, painting and repairs to existing signs shall not be deemed alterations within the meaning of this section.

Animated sign: A sign which utilizes motion of any part by any means, including wind power, or displays color changing, flashing, oscillating or intermittent lighting, electronic messages (except time and temperature), moving images, or which emits visible smoke, vapor, particles, noise or sounds. The definition of animated sign shall not include changeable copy signs with no other features of animation.

Application: An application for any subdivision, special exception, variance, development review committee approval, site plan approval, planned development rezoning, building permit, sign permit, or any other official action of the county having the effect of permitting development of property. A rezoning (except a planned development) or a future land use map amendment shall not be considered an application herein.

Area of sign: The area of any sign shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed including the frame around the sign, but not any supporting structure or brace. For designs consisting of individual letters or symbols attached to or painted on a surface, building wall or window, or signs in which the letters or symbols extend beyond the frame, the area shall be considered to be that of the smallest geometric shape which encompasses all of the letters and symbols. Address numbers and their accompanying background shall not be considered in the area of a sign, provided that they are projected from, and not contained in, the primary display area of the sign, they are only address numbers and not entire addresses, and they meet the area requirements for address numbers contained in this Charlotte Harbor Community Development Code.

Awning: A covering either permanently attached to the building or which can be raised or retracted to position against the building when not in use.

Awning canopy: Awning with the long axis projecting perpendicular to the building rather than parallel and requiring posts or poles to support the end of the canopy furthest away from the building.

Banner, flag or pennant: Any cloth, plastic, paper or similar material intended for use as a sign used for advertising purposes attached to, or appended on or from, any structure, staff, pole, line or framing. *Building frontage:* The length of the building which directly faces a street or, for a shopping center which exceeds one hundred thousand (100,000) square feet, an off-street parking area located on the development site. Where a business may not face a street or off-street parking area, the building frontage shall be the main face or front of the business.

Canopy roof: A free standing structure attached to or covering a building designed to provide pedestrian and vehicular protection, including, but not limited to, canopies over gas pumps and drive-up windows.

Canopy sign: A sign painted on or attached to a canopy or awning.

Charlotte Harbor CRA: Community Redevelopment Area in Charlotte Harbor approved and adopted by the board by Resolution 92-251 on November 3, 1992, in accordance with Part III, Chapter 163, Florida Statutes.

Class A signs (on site):

(a) *Class A, primary sign (or Primary Class A sign):*

A monument sign (as defined in this section), ground sign, or pole (or pylon) sign (as defined in this section), used to convey information visually relating to or for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever on or related to the premises where the sign is located. Primary Class A signs are to be utilized as the principal advertising for the parcel or lot where one or more business entities are located on the parcel or lot.

(b) *Class A, secondary sign (or Secondary Class A Sign):*

A sign (as defined in this section) other than a Class A Primary Sign which is attached to a building, and which is used to convey information visually relating to or for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever on or related to the premises where the sign is located. Secondary Class A signs provide advertising for individual occupants or businesses on a parcel or lot. Secondary Class A signs are not monument signs, ground signs, or pole (or pylon) signs. Secondary Class A signs can include, but are not limited to, window or wall signs.

Class B sign (off-site): A sign (as defined in this section) used to convey information visually relating to or for the attraction of the public to any place, person, firm, corporation, public performance, article, machine or merchandise whatsoever at a location or premises other than where the sign is located or to portray any message not directly related to the premises where the sign is located.

Code: The Code of Laws and Ordinances of Charlotte County, Florida, as the same may be amended from time to time by the board.

Community identification signs: Signs which identify the Charlotte Harbor CRA or specific or separate subdivision developments within the Charlotte Harbor CRA, typically by landscaped entry features, fountains and the like.

CRAC: The Charlotte County Community Redevelopment Agency Committee, created by the board on November 3, 1992, by Resolution 92-292, to act as the advisory committee to the board while sitting as the Charlotte County Community Redevelopment Agency.

Director: Director of the community development department of the county or his/her designee, or such other person or position as may be determined by the County Administrator to be the director for purposes of this Charlotte Harbor Community Development Code.

Erect or develop: Either term may be used to mean the following: to build, construct, install, reconstruct, move on, or conduct any physical development of a premises required for a building or other structure, or to excavate, fill, drain, cut or remove trees, brush or other vegetation in preparation for erection or development.

Exempt sign: A sign that has been exempted from permit requirements or inspection fees, but is required to comply with all other provisions of the Code or this Charlotte Harbor Community Development Code.

Facade-mounted changeable copy sign for a theater or cinema: A sign mounted on the front wall of a building in which there is theater or cinema on which the sign copy changes periodically. The sign copy shall only relate to events occurring or to occur within the theater or cinema or on the premises.

Flashing sign: A sign designed to attract attention by the inclusion of a flashing, changing, revolving or flickering light source or a change of light intensity.

Freestanding changeable copy sign: A free standing sign on which the sign copy changes periodically.

Hanging sign: A sign that hangs down from and is supported by or attached to the underside of a canopy, awning, marquee or a projection from or an extension of a structure.

Height of a sign: Height of the vertical distance measured from the average ground level or crown of the adjoining road on which the property fronts, which ever is greater, to the top of the sign, including supports and design features and embellishments, but not including any address numbers and their accompanying background projected from the top of the primary display area of the sign, provided they are limited to address numbers and they meet the height requirement for numbers contained in this Charlotte Harbor Community Development Code.

Historic building: A building that has been designated by the Charlotte County Historic Preservation Board and the board as a historic structure.

Historic district: A geographically definable area designated and possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development. A district may also be comprised of individual elements separated geographically but linked by association or history.

Identification sign: A sign that depicts the name and/or address of a building, an occupant or an establishment on the premises where the sign is located as a means of identifying said building, occupant or establishment.

Illuminated sign: A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source, including indirect lighting, neon, incandescent lights, backlighting and reflectorized signs which depend upon automobile headlights for an image.

Indirectly illuminated sign: A sign illuminated with a light directed primarily toward such sign, including back lighted signs, and so shielded that no direct rays from the light are visible elsewhere than on the lot where said illumination occurs.

Marquee: A marquee is a permanent roof-like structure attached to, supported by, and projecting from a building and providing protection from the elements.

Marquee sign: A sign attached to or painted on the face of a marquee and not projected above or beneath the marquee face.

Model residential unit flags: Flag(s) or banner(s) attracting attention to or advertising a model residential or business unit, which unit is intended to remain on the property.

Monument sign: A free standing, self-supporting sign, supported by columns and a base which is placed on or at ground level and not attached to any building wall, fence or other structure, and in a fixed location. The definition of a monument sign and a pole sign are mutually exclusive. Not all ground signs are monument signs; however, all monument signs are ground signs. This definition does not include portable or trailer type signs.

No fill area: An area designated by CRAC as an area of special development consideration as illustrated by the "No Fill" area map as attached to Ordinance 96-011, which map is on file and available for inspection in the county zoning department, and which is by this reference made a part hereof.

Nonconforming sign: Any sign which complied with the provisions of section 3-9-95 of the Code, or its predecessor, when first permitted and which was properly permitted under all applicable county, state, or federal regulations, but due to subsequent adoption of this Charlotte Harbor Community Development Code, no longer complies with the Code, is deemed a nonconforming sign.

Non-illuminated sign: A sign which has no source of illumination, either directly or indirectly.

Pole (or pylon) sign: A sign supported by at least 1 upright pole, pylon or post which is secured to the ground and the bottom of the sign face is at least 6 feet above the finished grade level, excluding Class B signs. The definitions of pole sign and monument sign are mutually exclusive.

Political or campaign sign: A sign related to a candidate for public office or measure on an election ballot that meets all requirements of section 3-9-95 of the Code.

Portable illuminated sign: A sign which is manifestly designed to be transported, as a trailer is transported, on its own wheels although the wheels of such signs may be removed and the remaining chassis may be attached permanently to the ground with electrical wiring and illumination as an integral part of total construction, and with potential electrical connection to power on the site to which it is transported. It is the characteristic of a portable illuminated sign that it is a changeable copy sign.

Portable sign: A sign which has no permanent attachment and by its design and use is not intended to be permanently attached to a building or the ground, including, but not limited to, A-frame signs, pole attachments, searchlights, and stands.

Prohibited sign: Any sign which is not permitted.

Projecting sign: A sign attached to a building or other structure and extending more than twelve (12) inches beyond the line of the building or structure or beyond the surface of that portion of the building or structure to which it is attached.

Real estate sign: A sign that advertises the sale, rental or development of the premises upon which it is located.

Revolving or whirling sign: A sign that revolves or turns by means of an external source of power, other than wind.

Rider: A small supplemental sign affixed to a real estate sign which conveys a message such as "Sale Pending", name of agent, and the like.

Roof sign: A sign erected, constructed and maintained wholly upon the roof or above the roof or roof line of any building.

Serial sign: Any use of a series of two (2) or more signs placed in a line generally parallel to the road or in a similar fashion, and displaying words or a message, part of which is contained on each sign.

Sign: Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, logo, symbol, device, stripe, line, trademark, reading matter or illuminated service, which is so constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that it is used to convey information visually or for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever, which is displayed in any manner whatsoever, exposed to public view, whether or not legible. For the purposes of the Charlotte Harbor Community Development Code, the term "sign" shall include all structural members.

The following, however, shall not be considered "signs" within the context of the Charlotte Harbor Community Development Code:

- (a) Legal notices, traffic, or informational signs or devices erected or required by federal, state or local government;
- (b) Standard gasoline pumps bearing thereon in usual size and form the name, type and price of gasoline;
- (c) Integral decorative or architectural feature of buildings; however, letters, registered trade or service or copyright marks, moving parts, and parts internally illuminated or decorated with gaseous tube or other lights shall be considered signs, notwithstanding that they are an integral part of the building.

Snipe sign: Any sign generally of a temporary nature, made of any material when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences or other objects when advertising matter appearing thereon is not applicable to the present use of the premises upon which the sign is located.

Street frontage: That portion of the principal structure that directly faces a street.

Temporary signs: Any sign that is intended to remain on a property for a period not to exceed a total of 30 calendar days.

Time and temperature sign: A sign conveying a lighted message of time, temperature, tide change, barometric pressure or similar information by means of electrical impulse at changing intervals of not less than four seconds in duration. Information displayed for four seconds or greater shall not be deemed a flashing sign.

Trespassing or caution sign: A sign intended to warn off trespassers or to point out a hazard on the premises upon which the sign is located.

Wall sign: A sign that is painted on, incorporated into, or affixed parallel to any wall of a building or other structure and with the furthest limit of the exterior face not projecting more than 12 inches from the building or structure.

Wind sign: Any sign or display, including but not limited to flags, banners, balloons, streamers and rotating devices, fastened in such a manner so as to move upon being subjected to air movement, whether natural or induced.

Window sign: A sign painted or placed on the inside or outside of a window that is visible from the exterior of the building.

Sec. 3-9-50.5 Permitted Uses

I. Intent

The Future Land Use Map (FLUM) designations within the Charlotte Harbor Community plan are, for the most part, consistent with current Charlotte County zoning designations; however, there are some significant differences. Outlined below are the Charlotte Harbor Community Plan FLUM designations with the zoning districts which are consistent with each specific FLUM designation. Also listed below are the specific designations of Coastal Residential, Neighborhood Business Residential, and Mixed Use. These specific designations within the CDC will supersede any underlying zoning district when the underlying zoning conflicts with the specific CDC designation. A rezoning or zoning map amendment is required as a part of the PD process and the proposed PD shall not be approved unless it is consistent with the future land use map and the goals, objectives and policies of the Comprehensive Plan.

(A) *Low Density Residential* FLUM designation: **LDR** (3-9-50.5(A)).

(1) Permitted zoning districts within a Low Density Residential FLUM designation include the following:

- a. Residential Single Family (RSF 1, 2, 2.5, 3.5, and 5), section 3-9-32 (as may be amended);
- b. Residential Multi Family (RFM 3.5, and 5), section 3-9-33 (as may be amended);
- c. Planned Development (PD), section 3-9-49 (as may be amended); and
- d. Environmentally Sensitive (ES), section 3-9-28 (as may be amended).

(B) *Coastal Residential* FLUM designation: **CR** (3-9-50.5(B)).

(1) Permitted zoning districts within the Coastal Residential FLUM designation include the following:

- a. Environmentally Sensitive (ES), section 3-9-28 (as may be amended);
- b. Residential Single-Family (RSF 1, 2, 2.5, and 3.5; section 3-9-32) (as may be amended; except where it is inconsistent with the (CR) section 3-9-50.5(B)(2));
- c. Planned Development (PD), section 3-9-49 (as may be amended). Multi-family residential structures, if approved through the Planned Development process (section 3-9-49), are permitted in the Coastal Residential FLUM designation.

(2) Section 3-9-50.5(B)(2), **Coastal Residential (CR) Zoning District**.

- a. Intent. Coastal Residential (CR) zoning is primarily intended to be used for single-family residential dwellings and other uses which are compatible within the Charlotte Harbor Community. Among CR-1, CR-2, and CR-3.5 districts, there are variations in requirements for lot area, width, and certain yards. (See section 3-9-50.5(B)(2)f).
- b. Permitted principal uses and structures. The following uses and structures are permitted in this district:
 1. Single-family dwellings, excluding mobile homes;
 2. Nonprofit parks and playgrounds;
 3. Occupied single-family residences used as family day care homes;
 4. Noncommercial boat docks; and
 5. Art and music instruction, provided no more than two (2) students at a time are receiving instruction.

c. Permitted accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district, including:

1. Private garage and storage structures;
2. Greenhouses, the growing of plants and horticultural specialties, provided no retail sales are made on the premises;
3. Swimming pools; and
4. Tennis courts.

d. Prohibited uses and structures. Any use or structure not expressly or reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.

e. Special exceptions. (For procedure, see Section 3-9-7, Special exceptions). The following uses may be granted as special exceptions in this district:

1. Private parking lots, provided that a site plan is approved by the development review process ensuring that the maximum tree protection requirements are included, as well as significant vegetated buffers and aesthetic screening requirements are added to maintain compatibility with the surrounding coastal residential community and reduce visual intrusion. The following conditions must also be met:

- (i) The parking lot must be within two hundred (200) feet of and in association with a proposed or approved development.
- (ii) The parking lot be part of an approved development which includes, as an approval stipulation, the need for additional parking.
- (iii) The parking lot cannot be the only or the primary parking for the associated development.
- (iv) Specific site related amenities, such as caution lights, pedestrian crosswalks, sidewalks, etc., are provided to ensure pedestrian access and safety.

2. One (1) guest house or one (1) servants' quarters for each single-family dwelling, provided the lot area shall not be less than twice the minimum lot area required for a single-family dwelling;
3. Home occupations, in accordance with section 3-9-79 (as may be amended);
4. Child and adult day care facilities in accordance with the following standards:

- (i) The minimum parcel size shall be twenty thousand (20,000) square feet;
- (ii) The facility must be located on a collector or higher functional roadway classification as shown in the comprehensive plan;
- (iii) Such facilities may not be located less than one thousand five hundred (1,500) feet from an established, existing facility in a residential single-family district. This distance shall be measured on a straight line from the nearest point of the proposed structure to the nearest point of the existing structure;
- (iv) The facility may care for a maximum of twenty-five (25) children or adults;
- (v) The facility must meet all requirements of the Florida Department of Health and Rehabilitative Services and maintain any required license and registrations;
- (vi) The facility must have off-street parking in accordance with *Off-street parking and loading facilities*, section 3-9-90 (as may be amended);
- (vii) A fence (see Architectural Standards) six (6) feet in height must be installed along the side and rear property lines in accordance with *Fences, Walls*, section 3-9-77 (as may be amended);
- (viii) A special exception for child or adult day care facilities shall cease upon change of ownership or discontinuance of the use for more than ninety (90) days.

- 5. Essential services (substations);
- 6. Adult congregate living facilities in accordance with *Adult congregate living facilities*, section 3-9-63.1 (as may be amended);
- 7. Radio and television transmission towers; and
- 8. Such other uses as determined by the community development director or his/her designee to be:
 - (i) Appropriate by reasonable implication and intent of the district;
 - (ii) Similar to another use either explicitly permitted in that district or allowed by special exception; and
 - (iii) Not specifically prohibited in that district.

f. Development standards. The following development standards shall apply in this district:

Minimum lot requirement (except as otherwise permitted)	coastal residential - 1	coastal residential - 2	coastal residential - 2.5	coastal residential - 3.5
Area, square feet	40,000	20,000	15,000	10,000

Width, feet:		125	100	100	80
Front yard, feet:		25	25	25	25
Side yard:	Interior, feet:	15	15	15	7.5
	Abutting a road, feet:	20	20	20	15
Maximum lot coverage by all buildings, percent:		35	35	35	35
Maximum building height, feet:		38	38	38	38
Maximum rear yard, feet:	Abutting a lot:	20	20	20	20
	Abutting a platted road:	25	25	25	25
Abutting a constructed road:		25	25	25	10
Abutting a greenbelt		15	15	15	15
Setback for accessory buildings from:	Rear lot line, feet:	10	10	10	10
	Side yard:	Same as principal building			
	Abutting a road right-of-way line:	Same as principal building			
Rear or side line abutting a waterway*, feet:		20	20	20	20
Within a Designated No Fill Area:		Stemwall or stilt construction required			

*Where properties lie within one thousand two hundred (1,200) feet of the water of Charlotte Harbor or the Peace River, structures must also be constructed in accordance with *Waterfront property*, section 3-9-98 (as may be amended).

g. Off-street parking. Off-street parking shall conform with *Off-street parking and loading facilities*, section 3-9-90 (as may be amended). Shared-Use Parking Agreements between adjacent commercial property owners shall be utilized whenever possible.

(C) *Medium Density Residential* FLUM designation: **MDR** (3-9-50.5(C)).

(1) Permitted zoning districts within a Medium Density Residential FLUM designation include the following:

- a. Residential Single-family (RSF 1, 2, 2.5, 3.5, and 5), section 3-9-32(a) through (h), as may be amended;
- b. Residential Multi-family (RMF 3.5, 5, 7.5, and 10), section 3-9-33(a) through (h), as may be amended;
- c. Environmentally Sensitive (ES), section 3-9-28(a) through (h), as may be amended; and
- d. Planned Development (PD), section 3-9-49(a) through (h), as may be amended.

(D) *Neighborhood Business Residential* FLUM designation: **NBR** (3-9-50.5(D)).

(1) Permitted zoning districts within a Neighborhood Business Residential FLUM designation include the following:

- a. Residential Single-family (RSF 1, 2, 2.5, 3.5, and 5), section 3-9-32(a) through (h), as may be amended, except where it is inconsistent with NBR Section 3-9-50.5(D)(2);
- b. Residential Multi-family (RMF 3.5, 5, 7.5, and 10), section 3-9-33(a) through (h), as may be amended, except where it is inconsistent with NBR section 3-9-50.5(D)(2);
- c. Office, Medical and Institutional (OMI), section 3-9-39(a) through (h), as may be amended, except where it is inconsistent with NBR section 3-9-50.5(D)(2);
- d. Commercial Neighborhood (CN), section 3-9-41(a) through (h), as may be amended, except where it is inconsistent with NBR section 3-9-50.5(D)(2);
- e. Commercial Tourist (CT), section 3-9-45(a) through (h), as may be amended, except where it is inconsistent with NBR section 3-9-50.5(D)(2);
- f. Planned Development (PD), section 3-9-49(a) through (h), as may be amended, except where it is inconsistent with NBR section 3-9-50.5(D)(2); and
- g. Commercial Intensive (CI), section 3-9-43(a) through (h), as may be amended. The following commercial intensive (CI) uses are prohibited within the NBR district due to the inconsistency with the intent of the CRA Community Plan.
 1. Truck stops, service stations and gas pumps;
 2. Lumber and building supply establishments;
 3. Heavy machinery and equipment sales and services;
 4. Drive-in theaters;
 5. Railroad sidings;

6. Indoor auditoriums and convention centers;
7. Mass transit terminals and yards;
8. Mini warehouses, warehouses or storage facilities;
9. Warehouses or storage facilities for flammable liquids;
10. Building trades contractor with storage yard for materials and equipment on premises;
11. Heliports and heli-stops; and
12. Car washes.

(2) **Section 3-9-50.5D2-Neighborhood Business Residential (NBR) Zoning District**

- a. Intent. The Neighborhood Business Residential (NBR) zoning as stated in policy 15.1 of the Future Land Use Element is intended to be a buffer and transition area separating residential and commercial areas which provide daily convenience goods, professional, personal, and business services, and multifamily residential needs of the residents located within the Charlotte Harbor Community.
- b. Specific conditions applicable to the Neighborhood Business Residential zoning district are:
 1. Multi-family density shall not exceed ten (10) units per gross acre;
 2. Multi-family residential development is prohibited south of Bayshore Drive along Charlotte Harbor;
 3. Maximum floor area ratio is .60 (Floor area ratio is a comparison of the floor area of a building with the total area of the site. The floor area is the sum of the areas of the floors of a structure. To calculate, divide the area of all floors by the gross site area.);
 4. Maximum building coverage of a lot is fifty (50) percent;
 5. Multi-use developments on the same parcel must be compatible with the surrounding land uses as determined by the Community Development Director and may be developed only as a part of a Planned Development (PD);
 6. Residential dwelling units shall be located on a separate floor level from office or commercial uses on multi-use development sites, preferably on the upper level for flood protection purposes;
 7. Commercial uses are limited to eight thousand (8,000) square feet of gross leasable area unless developed as part of a (PD);
 8. Commercial uses are limited to eighty (80) percent of the total area of the site; and
 9. Residential uses are limited to forty (40) percent of the total area of the site.
- c. Permitted principal uses and structures. The following uses and structures are permitted in this district:

1. Personal, professional, and business offices;
2. Medical and dental clinics;
3. Art galleries, libraries, museums, community centers, publicly owned recreational facilities, and theaters for live stage productions;
4. Laboratories, Class 3 provided central sewer is available;
5. Public parks, playgrounds, and buildings,
6. Dance, art, music, and photographic studios;
7. Child and adult day care facilities, and group home facilities;
8. Adult congregate living facilities;
9. Essential services (substations);
10. Multiple-family, two-family, and single-family dwellings excluding mobile homes;
11. Restaurants not exceeding three thousand (3,000) square feet in total floor area;
12. Snack shops;
13. Butcher shops and delicatessens;
14. Repair shops for small appliances and shoes;
15. Jewelry, florist, gift, clothing, and accessory shops;
16. Branch banks and financial services not exceeding three thousand (3,000) square feet in floor area;
17. Convenience stores;
18. Drug stores or variety stores not exceeding three thousand (3,000) square feet in total floor area;
19. Supermarkets not exceeding three thousand (3,000) square feet in total floor area;
20. Specialty shops and book stores; and
21. Bakery or pastry stores

d. Permitted accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district.

e. Prohibited uses and structures. Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.

f. Special exceptions (For procedure see section 3-9-7, *Special exceptions*). The following uses may be granted as special exceptions in this district:

1. Satellite college and university classrooms or activities;
2. Essential services; and
3. Such other uses as determined by the Community Development Director or his/her designee to be:
 - (i) Appropriate by reasonable implication and intent of the district;
 - (ii) Similar to another use either explicitly permitted in that district or allowed by special exception; and
 - (iii) Not specifically prohibited in that district.

g. Development standards. The following development standards shall apply in this district:

Minimum lot requirement	Area, square feet:		7,500
	Width:		80 feet
Minimum yard requirements	Front yard:		25 feet
	Side yard:	Interior	1/2 the building height but not less than 7.5 feet
		Abutting a road	1/2 the building height but not less than 15 feet
		Abutting water	20 feet
	Rear yard:	Abutting another lot	1/2 the building height but not less than 15 feet
		Abutting a road:	25 feet
		Abutting water	20 feet
Maximum lot coverage:	50 percent		
Maximum building height:	60 feet (all buildings higher than 38 feet require a special exception). 38 feet for buildings south of Bayshore Road		
Maximum density units per acre:	10		
Within a designated No Fill Area:	Stemwall or stilt construction required		

If a non-residential or residential development within a NBR district abuts a residential district of lower density than that within the NBR district, no structure shall be erected closer to the abutting residentially zoned property than 15 feet or the building height, whichever is greater. A screening buffer, as defined in *Landscaped buffers; screening buffers*, Section 3-9-83 of the Charlotte County Zoning Code, is required contiguous to residentially zoned property except when separated by a body of water, a greenbelt or an alley, or when the development within the NBR district is residential at a density equal to or less than the development existing or allowed the abutting residential property.

Where properties lie within 1,200 feet of the water of Charlotte Harbor or the Peace River, structures must also be constructed in accordance with Waterfront property, Section 3-9-98.

h. Off-street parking. Off-street parking shall be in accordance with *Off-street parking and loading facilities*, Section 3-9-90 (as may be amended). Shared-Use Parking Agreements between adjacent commercial property owners shall be utilized whenever possible.

(E) *Mixed Use* FLUM designation: **MU** (3-9-50.5E)

(1) Permitted Zoning districts within a Mixed Use FLUM designation include the following:

- a. Residential Single Family (RSF 1, 2, 2.5, 3.5, and 5), Section 3-9-32(a) thru (h), as may be amended;
- b. Residential Multi Family (RMF 3.5, 5, 7.5, 10 and 15), Section 3-9-33(a) thru (h), as may be amended;
- c. Office, Medical, and Institutional (OMI), Section 3-9-39(a) thru (h), as may be amended, except where it is inconsistent with MU Section 3-9-50.5E2;
- d. Commercial Neighborhood (CN),, Section 3-9-41(a) thru (h), as may be amended, except where it is inconsistent with MU Section 3-9-50.5E2;
- e. Commercial Tourist (CT), Section 3-9-45(a) thru (h), as may be amended, except where it is inconsistent with MU Section 3-9-50.5E2;
- f. Commercial General (CG), Section 3-9-42(a) thru (h), as may be amended, except where it is inconsistent with MU Section 3-9-50.5E2;
- g. Commercial Intensive (CI), Section 3-9-43(a) thru (h), as may be amended, except where it is inconsistent with MU Section 3-9-50.5E2;
- h. Planned Development (PD), Section 3-9-49(a) thru (h), as may be amended, except where it is inconsistent with MU Section 3-9-50.5E2; and
- i. Environmental Sensitive (ES), Section 3-9-28(a) thru (h), as may be amended.

(2) Section 3-9-50.5E2 - **Mixed Use (MU) Zoning District**

a. Intent. The Mixed Use Zone (MU) is intended to take the place of Commercial Intensive Zoning District (Section 3-9-43, as may be amended) within the Charlotte Harbor area, but modified to allow for compatibility with the combination of multi-family residential, commercial, and professional office development. As stated in Policy 15.1 of the Future Land Use Element, Mixed Use FLUM designation allows for a combination of residential, commercial, and professional office land uses within the Charlotte Harbor Community Planning area. The Mixed Use FLUM designated areas also allow for single-family residential (RSF Section 3-9-32, as may be amended) development up to three and one-half (3.5) units per acre, and multi-family (RMF Section 3-9-33, as may be amended) development up to fifteen (15) units per gross acre, and general retail (CG Section 3-9-42, as may be amended), neighborhood stores (CN Section 3-9-41, as may be amended), commercial tourist (CT Section 3-9-45, as may be amended) establishments, and professional offices (OMI Section 3-9-39, as may be amended).

b. Specific conditions applicable to the Mixed Use zoning district intended to provide daily convenience goods, professional, personal, and business services, and multi-family residential needs of the residents located within the Charlotte Harbor Community, are:

1. Multi-family residences shall not exceed a density of fifteen (15) units per gross acre;
2. Multi-use developments on the same parcel site must be compatible with the surrounding land uses and may be developed only as a part of a Planned Development (PD);
3. Residential dwelling units shall be located on a separate floor level from office or commercial uses on multi-use development sites;
4. Except as provided in Section 3-9-50E2(c)-(f), Commercial Intensive uses are prohibited from the Mixed Use Zone. Commercial Intensive uses shall be defined as those uses within the CI zoning district, as may be amended;
5. Commercial uses are limited to 80% of the total area of the site: and
6. Residential uses are limited to 40% of the total area of the site.

c. Permitted principal uses and structures. The following uses and structures are permitted in this district:

1. All uses and structures permitted in the CG district (Section 3-9-42, (a) thru (d) and (f) thru (h) as may be amended), *except 3-9-42(b)(10), (15), (23), (26), and (27)*.
Resort Marinas, as allowed in the CG district under Section 3-9-42(b)(9), shall not have fuel pumps on premises, except that fuel pumps are allowable in the resort marinas where the pumps are located on navigable waterways and

are for the exclusive use of watercraft entering or exiting the marina. Fuel pumps at resort marinas not located on the navigable waterway, situated to serve watercraft exclusively, shall be prohibited within the MU district. Fuel pumps for use by any land-based vehicles, including but not limited to automobiles, trucks, motorcycles, tractors and other lawn or yard equipment, or fuel pumps for use by any watercraft being towed, carried, or otherwise transported by land shall be prohibited within the MU district.

2. All uses and structures permitted in the CT district (Section 3-9-45, (a) thru (d) and (f) thru (h), as may be amended, *except 3-9-45(b)(6) and (11)*;

3. All uses and structures permitted in the NBR district (Section 3-9-50.5D);

4. Equipment rental in an enclosed facility;

5. Outdoor Commercial recreational facilities;

6. Wholesale sales;

7. Car wash; and

8. Automobile rental agencies.

d. Permitted accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district.

e. Prohibited uses and structures. Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.

f. Special exceptions (for procedure see Section 3-9-7, Special exceptions). The following uses may be granted as special exceptions in this district:

1. Colleges and universities;

2. Vocational, trade or business schools, provided all activities are conducted in completely enclosed buildings;

3. Heliports or heli-stops;

4. Bars, Cocktail lounges, nightclubs and taverns for on-premise consumption of alcoholic beverages within 1,000 feet from a church or school, subject to provisions of *Alcoholic beverages*, Section 3-9-66, (as may be amended) Charlotte County Code, as accessory to hotels, motels, country clubs, or restaurants.

5. Outdoor Auditoriums;

6. Sale and display in other than completely enclosed building of any merchandise otherwise allowed as permitted use in this district;

7. Carpentry, and cabinet shops;

8. Light manufacturing and assembly in a completely enclosed building;
9. Laundromats, provided central sewer is available;
10. Lumber and Building supply establishments, except ready-mixed concrete, asphalt plants, and concrete product manufacturing plants;
11. Essential services; and
12. Such other uses as determined by the Community Development Director or his/her designee to be:
 - (i) Appropriate by reasonable implication and intent of the district;
 - (ii) Similar to another use either explicitly permitted in that district or allowed by exception;
 - (iii) Not specifically prohibited in that district.

g. Development standards. The following development standards shall apply in this district:

Minimum lot requirements	Area, square feet		12,000
	Width		100 feet
Maximum yard requirements	Front yard:		9 feet
Minimum yard requirements	Front yard		0 feet
	Side yard	Interior	None
		Abutting a road	1/2 the building height but not less than 15 feet
		Abutting water	20 feet
	Rear yard	Abutting another lot	1/2 the building height but not less than 15 feet
		Abutting a road	25 feet
		Abutting water	20 feet
Maximum lot coverage			50 percent
Maximum building height			60 feet
Maximum density units per acre			15
Within a Designated No Fill Area			stemwall or stilt construction required

If non-residential or residential development within a MU district abuts a residential district of lower density than that within the MU district, no structure shall be erected closer to the abutting residentially zoned property than 25 feet or the building height, whichever is greater. A screening buffer, as defined in *Landscaped buffers; screening buffers*, Section 3-9-83 of the Charlotte County Zoning Code, is required contiguous to residentially zoned property except when separated by a body of water, a greenbelt or an alley, or when the development within the MU district is residential at a density equal to or less than the development existing or allowed the abutting residential property.

Where properties lie within 1,200 feet of water of the Charlotte Harbor or the Peace River, structures must also be constructed in accordance with *Waterfront properties*, Section 3-9-98.

h. Signs. In accordance with Architectural Standards, Section 3-9-50.6

i. Off-street parking. Off-street parking shall be in accordance with Off-street parking and loading facilities, Section 3-9-90 (as may be amended). Shared-use Parking Agreements between adjacent commercial property owners shall be utilized whenever possible.

(F) *Commercial* FLUM designation: **COM** (3-9-50.5F)

(1) Permitted Zoning Districts within Commercial FLUM designation include the following:

- a. Commercial Neighborhood (CN), Section 3-9-41(a) thru (h), as may be amended;
- b. Commercial Tourist (CT), Section 3-9-45(a) thru (h), as may be amended;
- c. Commercial General (CG), Section 3-9-42(a) thru (h), as may be amended;
- d. Planned Development (PD), Section 3-9-49(a) thru (h), as may be amended; and
- e. Commercial Intensive (CI), Section 3-9-43(a) thru (h), as may be amended.
- f. Environmentally Sensitive (ES), Section 3-9-28(a) thru (h), as may be amended.

(2) Notwithstanding the provisions of Subsection 3-9-50.5 (a) (F)(1) (b) above, including the provisions of the Code subsections expressly referenced in Subsection 3-9-50,5 (a) (F)(t)(b), the maximum front yard requirement for the Commercial Neighborhood zoning district referenced above in Subsection 3-9-50.5 (a) (G)(1)(a) shall be nine (9) feet and the minimum front yard requirement for the Commercial Neighborhood zoning district shall be zero (0) feet.

(3) Notwithstanding the provisions of Subsection 3-9-60.5 (a) (F)(1)(b) above, including the subsections of the Code expressly referenced in Subsection 3-9-50.5 (a) (F)(1)(b), the maximum front yard requirement for the Commercial Tourist zoning district referenced above in Subsection 3-9-50.5 (a)(F)(1)(b) shall be nine (9) feet and the minimum front yard requirement for the Commercial Tourist zoning district shall be zero (0) feet.

(4) Notwithstanding the provisions of Subsection 3-9-50.5 (a)(F)(1)(c) above, including the subsections of the Code expressly referenced in Subsection 3-9-50.5 (a) (F)(1)(c), the maximum front yard requirement for the Commercial General zoning district referenced above in Subsection 3-9-50.5 (a) (F)(1)(c) shall be nine (9) feet and the minimum front yard requirement for the Commercial General zoning district shall be zero (0) feet.

(G) Commercial Tourist FLUM designation: **COM-T** (3-9-50.5G). It is the intent of the COM-T district to limit Commercial development to those uses provided for herein.

(1) Permitted Zoning districts within a Commercial Tourist FLUM designation include the following:

- a. Residential Multi-family (RMF-T), Section 3-9-34(a) thru (h), as may be amended;
- b. Commercial Neighborhood (CN), Section 3-9-41(a) thru (h), as may be amended;
- c. Commercial Tourist (CT), Section 3-9-45(a) thru (h), as may be amended;
- d. Planned Development (PD), Section 3-9-49(a) thru (h), as may be amended;
- e. Commercial Intensive (CI), Section 3-9-43(a) thru (h), as may be amended. The following commercial intensive (CI) uses are prohibited within the COM-T district due to the inconsistency with the intent of the CRA Community plan.
 1. Truck stops;
 2. Lumber and building supply establishments;
 3. Heavy machinery and equipment sales and services;
 4. Drive-in theatres;
 5. Railroad sidings;
 6. Indoor Auditoriums and convention center;
 7. Mass transit terminals and yards;
 8. Mini warehouses, warehouses or storage facilities;
 9. Warehouses or storage facilities for flammable liquids;
 10. Building trades contractor with storage yard for materials and equipment on premises; and
 11. Heliports and heli-stops.

(2) Notwithstanding the provisions of Subsection 3-8-50 (a) (G)(i) above, including the subsections of the Code expressly referenced in Subsection 3-9-50.5 (a) (G)(1)(e), the maximum front yard requirement for the Commercial Intensive zoning district referenced above in Subsection 3-9-50.5 (a) (G)(1)(e) shall be nine (9) feet and the minimum front yard requirement for the Commercial Intensive zoning district shall be zero (0) feet.

(H) *Industrial* FLUM designation: **IND** (3-9-50.5H)

(1) Permitted Zoning Districts within an Industrial FLUM designation include the following:

- a. Commercial Intensive (CI), Section 3-9-43(a) thru (h), as may be amended;
- b. Industrial Office Park (IOP), Section 3-9-46(a) thru (h), as may be amended;
- c. Industrial Light (IL), Section 3-9-47(a) thru (h), as may be amended; and
- d. Planned Development (PD), Section 3-9-49(a) thru (h), as may be amended.

(I) *Preservation* FLUM designation: **PRE** (3-9-50.5I)

(1) Permitted Zoning districts within a Preservation FLUM designation include the following:

- a. Environmental Sensitive (ES), Section 3-9-28(a) thru (h), as may be amended.

(J) *Recreation Non-public/Public* FLUM designation: **RND** (3-9-50J)

(1) Permitted Zoning districts within a Recreation-Non-Public FLUM designation include the following:

- a. Planned Development (PD), Section 3-9-49(a) thru (h), as may be amended.

II. Rezoning or Zoning Map Amendments

Although the Charlotte Harbor CHD FLUM designations are generally consistent with the corresponding zoning designations, a rezoning application shall demonstrate that the proposed rezoning or map amendment is consistent with the Future Land Use Map and the Goals, Objectives, and Policies of the Charlotte Harbor CRA Plan and the Charlotte County Comprehensive Plan. Although a proposed rezoning or map amendment may be consistent with the Future Land Use Map designation (as indicated above), the application shall also demonstrate that the timing is appropriate for the proposed rezoning by providing relevant data and analysis indicating how the proposed zoning designation would satisfy the growth management strategy outlined in the Comprehensive Plan.

Section 3-9-50.6. Charlotte Harbor Community Architectural Design Requirements.

(a) The Charlotte Harbor Community Architectural Design Requirements (the "Design Requirements") are hereby provided for and shall regulate the design of new construction and the repair, rehabilitation or remodeling of existing structures throughout the Charlotte Harbor CRA. The Design Requirements shall be established by resolution of the Board of County Commissioners and may be amended by resolution of the Board at such times as the Board deems necessary. The Design Requirements are attached to the Zoning Code as Addendum 1 and shall apply throughout the Charlotte Harbor CRA.

(b) This section shall not be interpreted to restrict, regulate, or limit the use of the Design Requirements outside of the Charlotte Harbor CRA.

SECTION 2. PURPOSE. The purpose of the CRA Design Requirements is to regulate the design of new construction and the repair, rehabilitation or remodeling of existing structures throughout the CRA.

SECTION 3. INTENT. The intent of the CRA Design Requirements is to enhance and maintain the character of the CRA by establishing design requirements that serve two primary functions. The first is to enhance the integrity of existing structures. The second is to create a community whose character is consistent with the “old Florida” vernacular style of architecture. The latter development is anticipated over time, particularly as the Requirements are applied to new construction.

SECTION 4. OLD FLORIDA VERNACULAR. The “old Florida” vernacular style was selected by the Community Redevelopment Area Advisory CRAAC ("CRAAC") as an architectural pattern for the CRA after consideration of a number of architectural styles. The CRAAC settled upon the “old Florida” vernacular for several reasons, including the presence of the “old Florida” vernacular throughout the CRA, the association of the “old Florida” vernacular with waterfronts and fishing villages and the proximity of the CRA to the Charlotte Harbor portion of the Peace River. As used herein, the term “**Period**” denotes time period(s) that are distinguishable by the use of architectural pattern(s) feature(s) and design(s) that are consistent with the “old Florida” vernacular. The term “**Specifications**” shall mean architectural patterns, features and designs that are consistent with the “old Florida” vernacular.

SECTION 5. CLASSES AND APPLICATION OF CRA DESIGN REQUIREMENTS.

In addition to the period requirements and the general requirements, there are four (4) specific classes of CRA Design Requirements:

- A. Period Requirements (Section 7);

- B. Class I Design Requirements (Section 8);
- C. Class II Design Requirements (Section 9);
- D. Class III Design Requirements (Section 10);
- E. Class IV Design Requirements (Section 11); and
- F. General Requirements and Specifications (Section 12).

There are five (5) classes of construction projects in the CRA. Each class of construction must comply with all classes of Requirements that are applicable to that class of construction in order to fulfill the terms of this Resolution. The five (5) classes of construction are:

- A. Class I Projects (Section 8) ;
- B. Class II Projects (Section 9);
- C. Class III Projects (Section 10);
- D. Class IV Projects (Section 11); and,
- E. Class V All Development (Section 12).

Class I Projects are new construction and reconstruction requiring the elevation of existing structures to regulatory base flood levels. Class I Projects consist of the building of a new structure, or modification or addition to an existing structure such that the existing structure must be elevated to meet base flood elevation requirements pursuant to the Floodplain Management provisions of the County Code. Class I Projects are governed by the Class I Design Requirements, the Period Requirements and the General Requirements and Specifications.

Class II Projects are rehabilitation of commercial structures. Class II Projects consist of any repair, rehabilitation or remodeling of an existing commercial structure valued at fifty percent (50%) or more of the value of the existing structure over a five (5) year period regardless of whether such repair, rehabilitation or remodeling requires elevation of the existing structure to regulatory base flood levels pursuant to the Floodplain Management provisions of the County Code. Class II Projects are governed by the Class II Design Requirements,

the Period Requirements and the General Requirements and Specifications.

Class III Projects are residential rehabilitation not requiring the elevation of existing structures to regulatory base flood levels. Class III Projects also include commercial rehabilitation, reconstruction, remodeling, or additions valued at forty-nine percent (49%) or less of the value of the existing structure over a five (5) year period. Class III Projects are governed by the Class III Design Requirements and the General Requirements and Specifications.

Class IV Projects consist of decks, patios; permanent swimming pools; fences, walls, gazebos, sheds and other outbuildings, vending booths, carts, and other miscellaneous displays. Class IV Projects are governed by the Class IV Design Requirements and the General Requirements and Specifications.

Class V Projects include all development within the CRA including, without limitation, Class I Projects, Class II Projects, Class III Projects and Class IV Projects. The term “development” is defined in Section 12 hereof. In addition to all other Requirement(s) that a development is subject to, all development activity in the CRA is subject to the General Requirements and Specifications.

SECTION 6. DEFINITIONS.

For purposes of this Resolution, the terms set forth in *Appendix “A”* attached hereto and by reference made a part hereof shall have the meanings provided therein unless expressly provided otherwise in a particular section of this Resolution or unless the context clearly requires otherwise.

SECTION 7. PERIOD REQUIREMENTS. (CLASS I PROJECTS AND CLASS II PROJECTS).

Both Class I Projects and Class II Projects shall be required to comply with the Period Requirements. Class I Projects and Class II Projects, which include a minimum of four (4) of the features, below, shall be deemed in compliance with the Period Requirements, except that Class I and Class II projects which utilize a metal roof consistent with the Period shall only be required to select two (2) of the features below in addition to the Period metal roof.

A. A veranda which runs the entire length of a structure’s primary facade, minus any portion of the primary facade necessary for vehicular access (e.g., garages), provided the length of veranda not located along the primary facade due to vehicular use is located along one of the sides abutting the primary facade as a continuous, “wrap-around” veranda.

- B. A metal roof of design and materials consistent with the Period.
- C. A widow's walk.
- D. A cupola.
- E. The use of 6/6 or 2/2 double hung windows
- F. The use of decorative lattice or "gingerbread" treatments at gable peaks, building corners and other appropriate areas of the structure as illustrated in the "**Pictures**," as defined below.

The CRAAC has adopted a series of "**Pictures**" that depict structures that reflect the Period vernacular. By this reference, the Pictures are made a part hereof. The Pictures are available for public inspection at the Community Development Department, and may be available for inspection through the County Web Site. The CRAAC reserves the right to add and remove photographs from the Pictures, as the case may be, provided that a complete set of the Pictures shall be made available for public inspection at the location provided above. The purpose of the Pictures is to present visual examples of combinations of design features that result in structures that display the Period vernacular.

SECTION 8. CLASS I DESIGN REQUIREMENTS. CLASS I PROJECTS.

General

Class I Projects consist of new construction and reconstruction requiring the elevation of existing structures to regulatory base flood levels. Class I Projects are governed by the Class I Design Requirements, the Period Requirements and the General Requirements and Specifications. Class I Projects are intended over time to create a community whose character is consistent with the Period style of architecture. The Period Requirements, Class I Design Requirements and the General Requirements and Specifications shall be employed before design development work begins so that the required relationships that properly relate individual buildings to the total environment can be established.

Site design and site preparation

Improvements to property shall be undertaken with careful consideration to natural features, including but not limited to topography, drainage, and vegetation. To the greatest extent possible, natural features shall be incorporated into site design. For example, on-site stormwater ponds shall be located in those portions of the site which naturally occur at lower elevations in order to minimize the amount of

fill material necessary to elevate the property in order to achieve drainage. This example also illustrates how proper site design will compliment other goals of the CRA including the preservation of canopy trees and the minimization of fill within No-Fill Areas

Compatibility

Class I Projects shall be compatible with the character of the CRA in terms of size, scale, design, materials, color and texture.

Contemporary designs

Contemporary designs shall complement and shall not conflict with the Period Requirements, the Class I Design Requirements and the General Requirements and Specifications. The distinction between contemporary and existing designs shall be and remain evident. Factors that shall be considered in blending contemporary with existing structures include, without limitation, size, pedestrian scale, relationship of building mass to adjacent structures, relationship to existing architectural details, elements, materials, color, texture and styles in the CRA, and similarity of window and door proportions.

Materials, Textures, and Colors

Exterior finishes in the CRA are wood or block/stucco with various types and colors of roofing materials. Roofing materials shall be consistent in appearance with the Period. Class I Projects shall establish a relationship with existing structures by utilizing the finishes and roofing materials required by this Resolution.

Siting

No Class I Project shall be placed closer to the sidewalk, street, or visible alley, than the distance that has been predetermined by existing structures. Areas that have traditionally been reserved for parks or open spaces shall remain. Requirements for building setbacks shall be established either by studying original zoning permits and plat maps, by establishing a uniform setback or as provided by the Zoning Code.

Height

The height of all Class I Projects shall not exceed the maximum height standard established for the zoning district within which the subject property is located. There shall be a complementary relationship of height between new buildings and existing adjacent structures. An attached exterior addition shall be located at the rear or on an inconspicuous side of a structure, limiting its size and scale in relationship to

the building.

Additions

New additions shall not destroy features that characterize the property and shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the property and its environment would be unimpaired.

Infill Requirements

Where lattice is used to enclose open areas underneath buildings resulting from the use of pilings, piers, and methods of achieving elevation that do not result in opacity, only one type of lattice infill may be used for an individual structure.

Colors

Neon and fluorescent colors shall not be used on any structure in the CRA. The use of black paint shall be limited to trim.

Lighting

All street lighting, yard lighting, and for commercial development, parking and vehicular circulation area lighting shall be done in accordance with the General Requirements and Specifications, and shall be further designed, shielded, installed, or otherwise accomplished so as to contain all illumination within the development site. Exterior lighting shall not exceed the lower of the lowest portion of the roofline or fifteen (15) feet.

SECTION 9. CLASS II DESIGN REQUIREMENTS. CLASS II PROJECTS.

Applicability

Class II Projects consist of existing commercial structures undergoing exterior reconstruction (including additions), rehabilitation, or remodeling such that the value of the structure is increased by fifty percent (50%) or more as measured over a five (5) year period of time. Class II Projects are governed by the Class II Design Requirements, the Period Requirements and the General Requirements and Specifications. As used in this Section, the term “development” shall mean any exterior reconstruction, remodeling, rehabilitation, or addition to an existing structure.

Generally

The Period Requirements, the Class II Design Requirements and the General Requirements and Specifications shall be employed before design development work begins so that the required relationships that properly relate individual buildings to the total environment can be established.

Site design and site preparation

Where Class II Projects also trigger the need for additional site improvements (for example, additional parking or stormwater treatment), such improvements shall be undertaken with careful consideration to natural features, including but not limited to topography, drainage, and vegetation. To the greatest extent possible, natural features shall be incorporated into site design. For example, on-site stormwater ponds shall be located in those portions of the site which naturally occur at lower elevations in order to minimize the amount of fill material necessary to elevate the property in order to achieve drainage. This example also illustrates how proper site design will compliment other goals of the CRA including the preservation of canopy trees and the minimization of fill within No-Fill Areas.

Landscaping

Parking lots and vehicular circulation areas associated with commercial redevelopment within the CRA shall be treated as new development and must be landscaped in accordance with Article XVIII of Chapter 3-5 of the County Code. Interior and perimeter landscaping areas are included within the scope of the preceding sentence. This Class II Design Requirement shall control and supercede any exemption afforded to existing paved parking areas from compliance with landscaping standards that are applied to new paved parking areas pursuant to Sec. 3-5-392 of the County Code.

Compatibility

Class II Projects shall be compatible with the character of the CRA in terms of size, scale, design, materials, color and texture as provided in Section 12 of this Resolution.

Contemporary designs

Contemporary designs shall complement and shall not conflict with the Period Requirements, the Class II Design Requirements and the General Requirements and Specifications. The distinction between contemporary and existing designs shall be and remain evident. Factors that shall be considered in blending contemporary with existing structures include, without limitation, size, pedestrian scale, relationship of

building mass to adjacent structures, relationship to existing architectural details, elements, materials, color, texture and styles in the CRA, and similarity of window and door proportions.

Siting

No new addition shall be placed closer to the sidewalk, street, or visible alley, than the distance that has been predetermined by existing structures. Areas that have traditionally been reserved for parks or open spaces shall remain. Criteria for building setbacks shall be established either by studying original zoning permits and plat maps, by establishing a uniform setback or as provided by the Zoning Code. Additions other than additional floors shall be located at the rear or on an inconspicuous side of a structure, limiting its size and scale in relationship to the building.

Height

Class II Projects shall not exceed the maximum height standard established for the zoning district within which the subject property is located. There shall be a complementary relationship of height between additions that increase the height of the structures to which they are added and existing, adjacent structures.

Additions

New additions shall not destroy existing Period features that characterize the property and shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the property and its environment would be unimpaired.

Infill Requirements

Where lattice is used to enclose open areas underneath buildings resulting from the use of pilings, piers, and methods of achieving elevation that do not result in opacity, only one type of lattice infill may be used for an individual structure.

Colors

Neon and fluorescent colors shall not be used on any structure in the CRA. The use of black paint shall be limited to trim.

Lighting

All exterior lighting shall be done in Period style, and shall be further designed, shielded, installed, or otherwise accomplished so as to contain all illumination within the development site. Exterior lighting shall not exceed the lower of the lowest portion of the roofline or fifteen (15) feet.

SECTION 10. CLASS III DESIGN REQUIREMENTS. CLASS III PROJECTS.

Applicability

Class III Projects consist of all residential rehabilitation, reconstruction, remodeling, or additions which do not require elevation of the existing structure to regulatory base flood levels pursuant to the County's Floodplain Management Regulations, or to which the provisions of Section 8 of this Resolution do not otherwise apply. Class III Projects also include commercial rehabilitation, reconstruction, remodeling, or additions valued at forty-nine percent (49%) or less of the value of the existing structure over a five (5) year period. Class III Projects are governed by the Class III Design Requirements and the General Requirements and Specifications.

General

Each property shall be recognized as a physical record of its time, place, and use. While most properties change over time, it is the intention of this Section that the character of properties undergoing reconstruction, rehabilitation, or to which additions are added be maintained through preservation of distinctive features, finishes, construction techniques, or examples of craftsmanship. Section 12 of this Resolution shall be utilized to provide guidance for the treatment of design elements, materials, treatments, and finishes. Changes that are inconsistent with the character of a property (such as architectural elements) are prohibited.

Scale.

No existing structure shall be enlarged so that its proportions, particularly height, are out of scale with its surroundings. On any given block or area where a variety of sizes and styles exist, no structure shall surpass the majority of the structures in that area. Alterations shall be made in a manner that does not alter the scale of the streetscape.

Alterations

The alteration of existing Period features is prohibited unless the alteration is necessary to salvage the structure. Whenever possible, deteriorated Period features that characterize a property shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a Period feature, the new Period feature shall match the old Period feature in design, color, texture, and other visual qualities

and, where possible, materials. Documentary, physical, or pictorial evidence shall justify and substantiate the replacement of missing Period features.

Exterior alterations and related new construction shall not destroy Period features that characterize the property and shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the property and its environment would be unimpaired. New features shall be compatible with the massing, size, scale, and architectural features of existing features in order to protect the integrity of the structure, the property and the environment.

The removal or alteration of exterior spaces (such as porches, courtyards, etc.) that characterize a property is prohibited unless the removal or alteration is necessary to salvage the property or doing so enables the incorporation of Period design elements.

The removal of Period materials is prohibited unless the Period materials are too deteriorated to repair. New Period materials shall be utilized to replace deteriorated Period materials. If new Period materials are unavailable, modern building materials and techniques that are visually equivalent to the Period materials shall be utilized.

SECTION 11. CLASS IV DESIGN REQUIREMENTS. CLASS IV PROJECTS.

Class IV Projects consist of decks, patios, permanent swimming pools, fences, walls, gazebos, sheds and other outbuildings, vending booths, carts, and other miscellaneous displays. Class IV Projects are governed by the following Class IV Design Requirements.

Swimming Pools

Permanent swimming pools, spas, or Jacuzzis shall not be visible from the front of the building.

Fences and Walls

1. Fences and walls are important elements of the design and character of a structure and district. The scale and character of a fence and its posts and gates shall be compatible with the house and neighboring structures.
2. The height of fences and walls shall be governed by the standards of the zoning district within which the fence or wall occurs or is proposed to occur.
3. The beginning point for six-foot fences shall be rear-ward from the point where the façade of the house joins the front porch, or a

minimum of ten (10) feet from the front property line. This Class IV Design Requirement shall not be construed to exempt applicants from having to obtain a variance as may be required by the County Code regarding setback requirements from fences and walls.

4. All concrete walls shall be stuccoed and capped.
5. Unless approved by the Board of Zoning Appeals for another location by way of a special exception in accordance with Section 3-9-7 of the County Code, chain-link fencing shall not be installed forward of the back wall(s) of any structure. No request for a special exception to allow chain link fencing in any other location shall be placed on the Board of Zoning Appeals' agenda until such time as the Community Development Department receives a written recommendation regarding the requested special exception from the Charlotte Harbor CRA Advisory Committee.
6. Reed fencing is prohibited.
7. Fence structures erected within the required setback area (i.e. between the property line and the setback line) are subject to the same height restrictions as fences erected on the property line.

Gazebos, Sheds, and other Outbuildings

1. The design of any gazebo, shed, or other outbuilding greater than one hundred square feet (100 sq. ft) in area shall be complementary in terms of design, scale, proportion, color, finish, and details to the main building.
2. Siting on the lot shall determine the allowable location and dimensions.
3. Temporary outside storage units shall be allowed to remain on a property for 30 days in a calendar year unless the Zoning Official authorizes a greater period of time.

Vending Booths, Carts, and Other Merchandise Displays

The use or storage of vending booths, carts, and other merchandise displays is prohibited in the front yard or side yard of any structure adjoining a public street (i.e. between the front or side facade and the public right-of-way or sidewalk), and are prohibited in public rights-of-way. Vending carts or booths shall be located only in or on the periphery of parking lots, where vending will not displace required parking, or otherwise vacant properties. Merchandise shall not be mounted or displayed on the exterior surface of the front facade. All

vending machines shall be placed in kiosks or enclosures constructed in Period style and materials.

SECTION 12. GENERAL REQUIREMENTS AND SPECIFICATIONS. ALL DEVELOPMENT.

Applicability

The General Requirements and Specifications apply to all development in the CRA. As used in this Section, “development” shall mean any activity for which a building permit, excavation permit, tree removal authorization, or other County authorization which has the effect of allowing land clearing or construction activities must be obtained prior to the commencement of such activities. Development includes, but is not limited to, Class I Projects, Class II Projects, Class III Projects and Class IV Projects.

Generally

Due to the broadness of the General Requirements and Specifications, each General Requirement and Specification will not pertain to every type of development activity in the CRA. The determination as to whether a General Requirement and Specification affects a particular development activity will be made by the Zoning Official and/or a designee in connection with the application.

Materials

Wherever these General Requirements and Specifications or any other CRA Design Requirement reference the use of Period materials, nothing herein shall preclude the use of modern materials that are the visual equivalent of Period materials and which are equal or superior to Period materials in regard to strength and durability.

Exteriors

Wood

Wood is the most commonly used material for architectural features such as clapboards, cornices, brackets, entablatures, shutters, columns and balustrades. These wooden features are important in defining the character of a structure. The retention, protection and repair of all wood features shall be required in all rehabilitation projects.

Exterior Siding Alternatives

1. Weatherboard, clapboard or lapped siding.
2. Wood, vertical board-and-batten siding with
1" x 2" or 1" x 3" battens.
3. Wood, horizontal novelty or drop siding.

A combination of exterior siding materials is prohibited unless Period evidence indicates otherwise or additions were clad differently than the original structure. The introduction of a new wood feature that is incompatible in size, scale, material, and color is prohibited.

Masonry

1. Masonry features (such as brick cornices and door pediments, stone window architraves, terra cotta brackets and railings) as well as masonry surfaces (molding, bonding patterns, joint size and color) are important in defining the Period character of a building. It should be noted that while masonry is among the most durable of building materials, it is also the most susceptible to damage by improper maintenance or repair techniques and by harsh and abrasive cleaning methods.
2. Masonry features that are important in defining the overall Period character of the building such as walls, brackets, railings, cornices, window architraves, door pediments, steps, and columns shall be identified, retained, and preserved.
3. Masonry features shall be repaired using recognized preservation methods. Where masonry features are too deteriorated to repair, they shall be replaced in kind using physical evidence to guide the work.

Roofing (Materials)

The replacement or substitution of Period roofing materials on Period structures with roof treatments that are inconsistent with the Period (e.g. Spanish tile) is prohibited.

Entrances, Porches, and Doors

1. Entrances and their functional and decorative elements that are important in defining the Period character of a building, such as doors and door openings, fanlights, sidelights, pediments, hardware, pilasters, columns, balustrades, and stairs shall be identified retained

and preserved.

2. Whenever possible, four-or six-paneled wood doors or horizontal panel doors as featured on late 19th and early 20th century buildings shall be utilized. In lieu thereof, French doors or doors with a single large light over one of two horizontal panels are acceptable.

3. The additions of sidelights and entryway surrounds that are not original to the entrance are prohibited.

4. Whenever possible, entrances and porches shall be repaired by reinforcing existing materials. When repair is not possible, limited replacement in kind or with compatible substitute materials shall be allowed.

5. An entire entrance or porch that is too deteriorated to repair shall be replaced in kind. If the form and detailing are still evident, the physical evidence shall be used to guide the new work. If using the same kind of materials is not technically or economically feasible, then a compatible substitute material shall be used.

6. In constructing a new entrance or porch, the design shall be compatible in size, scale, material, and color with the character of the building.

7. A porch on an existing structure, which contributes to the Period character of the structure, shall not be removed. If a porch is to be enclosed, it shall be done in a manner consistent with the style and materials of the existing structure in a manner that preserves the character of the building.

Columns, Posts, and Pillars

1. Existing posts or columns that contribute to defining the character of the building shall be retained and preserved.

2. When columns must be replaced, they shall be replaced with columns compatible in size, scale and material.

3. Columns that have historically defined a building shall not be replaced with posts or pillars that are uncharacteristic of a building's style. For example, simple 4" x 4" wood square posts, not rounded, decorative columns, shall be utilized for a shotgun style house.

Exterior Stairs

1. Exterior staircases shall be retained, preserved and, when necessary, replaced with materials that are compatible with both the individual structure and the CRA. Replacement of wood stairs with concrete stairs is prohibited.
2. The balusters, newel posts, and rails of an exterior staircase shall be replaced with the same material, and shall be proportional to the main structure.
3. Period stairways shall be upgraded to meet health and safety codes in a manner that assures their preservation.

Roofs (Shape)

1. The roof with its shape, features such as dormers, widow's walks, and chimneys, and the size, color, and patterns of the roofing material are extremely important in defining the building's overall character.
2. A roof's shape, Periodic roofing material and features such as dormers, widow's walks, chimneys, scuttles, or roof porches shall be retained and preserved.
3. Changing the configuration of a roof such that the Period character is diminished is prohibited.

Gutters

Gutter style is reflective of the property's history in terms of appearance and technology. Only the half-rounded style of gutter shall be installed on structures erected prior to 1900. Only half-round or "ogee" style shall be installed on structures erected after 1900.

Dormers

1. Dormers are gable projections of an attic room that allow for a vertical window opening.
2. A dormer addition shall be in scale and harmony with the existing building, shall be placed in a location with the least visibility, shall have a roof consistent with that of the existing structure and shall have windows of the same design as the existing structure.

Widow's Walks

A widow's walk addition shall be in scale and harmony with the existing structure. Period evidence of the prior existence of a widow's walk

shall be the best justification for such an addition.

Windows

1. Windows and their functional features that contribute to defining the Period character of the building shall be identified, retained and preserved. Such features include frames, sash, muntins, glazing, sills, paneled or decorated jambs and moldings, and interior and exterior shutters and blinds.
2. When the replacement of windows in a structure is unavoidable, the replacement windows shall maintain the character of the structure.
3. Changing of the number, locations, size, or glazing pattern of windows by cutting new openings, blocking in windows, and installing replacement sash that does not fit a window opening is prohibited.
4. Period windows shall only be replaced with Period windows. Repair and restoration of Period windows shall maintain the Period character of the windows.

Shutters

1. Existing shutters and their functional and decorative elements shall be retained, repaired and preserved.
2. If the overall form and detailing are still evident, a set of shutters that is too deteriorated to repair shall be replaced in kind using the physical evidence to guide the work. If using the same kind of material is not technically or economically feasible, a compatible substitute material shall be utilized. Hurricane shutters or panels shall be architecturally compatible with the building. When traditional shutters are not feasible or are inappropriate, removable storm panels shall be utilized (panels are stored except during a storm). Tracks for removable panels shall be painted to match the wall. Roll-down shutters shall be utilized on commercial buildings so as to allow concealment of the overhead casing. Accordion shutters shall be utilized on existing commercial buildings only if the stacked shutter is not conspicuous within the opening. Aluminum awnings/shutters are prohibited.

Balustrades

1. Wooden balustrades are significant in defining the Period character of frame structures. They shall be retained and preserved.

2. When replacement is necessary, balustrades shall be replaced with materials that are compatible with the structure.
3. New balusters shall match the original balusters in size and height above the porch floor.

Building Environment

1. Features such as gardens, walkways, streets, alleys, plants, trees, fencing, and building setbacks which have traditionally linked buildings to their environment and which reflect the property's development shall be utilized and, in the case of existing structures, retained.
2. For walkways in residential areas, brick or paver type treatment shall be used whenever possible.
3. Traditional lawn and garden arrangements, with emphasis given to regional flora, shall be utilized whenever possible.
4. Concrete or gravel lawns, and permanent aboveground or in-ground swimming pools are prohibited in front yards. At least 25 percent (25%) of a front yard shall be landscaped, and shall not be covered by brick, concrete, or gravel.
5. Widening of existing streets, changing the paving materials, and introducing new streets and new parking lots shall be done in a manner which is compatible with the character of the neighborhood and maintains the relationship of the buildings to the environment.

Awnings

1. Historically, the canvas awning was an important design element in the traditional storefront, providing cover and added color. Awnings served as a transition between the storefront and the upper facade.
2. Standard street level awnings shall be mounted so that the valance is 8 feet above the sidewalk elevation and projects out no more than 4 feet from the building.
3. Awnings shall be attached above the display window and below the cornice. An awning shall reinforce the frame of the storefront and shall not cover the space between the second story windowsills and the storefront cornice.
4. The size, scale, and shape of awnings shall be appropriate to the specific building.
5. If a flat canopy exists, it shall be dressed up with a 12- to 24-inch awning valance. Round or dome-shaped awnings must be

compatible with the structures on which they are to be placed, and shall be in proportion to the entryway.

6. Signage on an awning valance shall be approved on a case-by-case basis, taking into consideration the total number of signs per building or business establishment as provided by the County Code. Lettering shall be one-half the height of the valance.

7. Awnings used as vehicle shelters are prohibited.

Lattice Infill

1. The space between the floor of the house and the ground shall be screened with lattice between supports of the house.

2. Only one type of infill shall be used for each house. Lattice infill may be wood or recycled plastic. If wood, the lattice shall be a minimum of one-quarter-inch (3") and pressure-treated. Posts on which the lattice is to be mounted shall be set on four (4) foot centers.

Storefronts

1. Because storefronts play a critical role in a store's advertising strategy to draw customers, they are often altered to meet the needs of a new business. Care shall be taken when working on storefronts so that the building's character is preserved in the process of rehabilitation.

2. Storefronts and their functional and decorative elements that are important in defining the character of the building, such as display windows, doors, transoms, corner posts, entablatures, cornices, signs, and bulkheads shall be retained and preserved.

3. Fluorescent lighting shall be baffled so that lamps are not visible from the public right-of-way. Where neon tubing is visible from the street and used to outline building facades or window/door openings, it shall be limited to signage and not extended to bands.

4. The remodeling of storefronts shall be done in Period style and materials. Repairs to storefronts and their features shall maintain the existing character of the structure.

5. Only appropriately scaled signs and logos that do not obscure, damage, or destroy a building's existing features shall be used.

6. The use of chaser lights is prohibited.

Secondary Roof Structures, Skylights and Scuttles

1. Whenever possible, original skylights and wood roof scuttles shall be retained and preserved
2. Flat roof windows shall be located on the side that is least visible from a public street.

Exterior Paint

Neon and fluorescent colors shall not be used on any structure in the CRA. The use of black paint shall be limited to trim.

Ramps

Ramps, where required, shall be concealed with landscaping as much as possible, and shall blend with the scale and architectural features of the building.

Air Conditioning Units

1. Air conditioning units shall be installed in such a manner that Period material and features of a building are not damaged or obscured.
2. Through-the-wall air conditioning units or window units shall not be installed in the facade (front) of a building.
3. Air conditioning units shall be placed in new openings that align with the existing window frame. Molding shall be utilized as a trim element.
4. Air conditioning units shall be concealed by landscaping and placed in the rear of a lot so as not to be seen from the street.

Garbage and Trash

1. When not a curbside for pick up, garbage and trash units shall be placed out of the public view.

2. Whenever possible, a picket fence or other approved enclosure shall be utilized to screen areas where garbage and trash are stored prior to pick up or disposal.

Inspection of Excavations

Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken according to State and Federal Regulations.

Discovered artifacts shall be promptly reported to the Charlotte County Historic Preservation Board and the appropriate State and Federal authorities. Excavation of utility trenches, cisterns, and foundations require notification in advance so that activities may be monitored.

Metal Carports

Metal carports shall be utilized only on 1950/60's Mackle/GDC or other structures that were originally constructed with the structure.

SECTION 13. APPEALS.

Any applicant seeking approval of development subject to these regulations aggrieved by the decisions of the Charlotte Harbor CRA Advisory Committee or its Architectural Review Subcommittee regarding interpretation or application of the requirements found herein may appeal such decisions to the Zoning Official who shall render a written determination regarding the disputed matter(s) which shall be considered the final resolution to the matter(s), subject to appeal as provided by Section 3-9-6 of the County Code.

SECTION 14. MISCELLANEOUS PROVISIONS.

CAPTIONS. The captions of this Resolution are inserted for convenience or reference only and not to define, describe or limit the scope or the intent of this Resolution nor any provision or term hereof.

OTHER LAWS. This Resolution shall not be construed to imply a waiver or exemption from any existing mandates imposed by Federal and State laws and regulations and or the County Code. Without limitation, the preceding sentence shall encompass any mandates imposed by the Federal Emergency Management Agency.

SEVERABILITY. If any portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, portion shall be deemed a separate, distinct, and independent portion of this Resolution and such holding shall not affect the validity of the

remainder of this Resolution.

ARCHITECTURAL DESIGN STANDARDS APPENDIX “A”

ARCH: A structural member shaped in the arc of a curve.

ARCHITRAVE: The lower part of a classical entablature, which rests on a column.

BALUSTER: A post or upright supporting a handrail, often vase-shaped, a series of which makes up a balustrade.

BALUSTRADE: A banister, railing, handrail or barrier.

BARGEBOARD: The decorative board attached to the projecting portion of a gable.

BRACKET: A support element under eaves, shelves, or other overhangs.

CHAMFER: The surface formed by cutting off a corner of a board or post; a bevel.

COLUMN: A vertical support generally consisting of a base, circular shaft and capital.

CORNICE: The horizontal molded projection at the top of a building or wall.

CRESTING: A light repeated ornament, incised or perforated, carried along the top of a wall or roof.

CUPOLA: A spherical roof or dome-roofed structure built on top of a roof.

DORMER: A vertical window set in a sloping roof or a roofed structure containing such a window.

EAVES: The projecting overhang at the lower edge of a roof.

ENTABLATURE: A horizontal part in a classical post and beam system composed of the cornice, frieze and architrave.

FACADE: The front or principal face of a building.

FINIAL: An ornament at the top of a spire, gable or pinnacle.

FRIEZE: The part of the entablature between the architrave and cornice; any sculptured or ornamented band in a building.

GABLE: The triangular portion of a wall between the enclosing lines of a sloping roof.

HIP ROOF: A roof with four uniformly pitched sides.

LATTICE: A structure consisting of strips of metal or wood, crossed or interlaced to form regularly spaced openings.

LINTEL: A beam of any material used to span an opening (also known as an architrave).

LOUVRE: A series of inclined slats in a vertical frame allowing ventilation without admitting rain.

MOULDING: A continuous decorative band that is either carved into or applied to the surface.

MULLION: A vertical member that divides a window or separates one window or door from another.

MUNTIN: The wood or metal strips that divide a multi-pane window.

PARAPET: A low solid protective wall or railing along the edge of a roof or balcony.

PEDIMENT: A wide, low-pitched gable above a portico or door.

PORCH: A covered structure or recessed space at the entrance of a building.

PORTICO: A major porch, with a pedimented roof supported by columns.

RAFTER: Part of a wooden roof frame sloping down from the ridge to the eaves and establishing the pitch.

RIDGE: The highest point of the roof, running from end to end.

SASH: A frame or window in which glass is set.

SHUTTER TIEBACKS: Hardware used to secure open shutters.

STUCCO: A type of plasterwork, either coarse or fine, used for surfacing interior or exterior walls.

TRANSOM: A small window over a door or large window.

TURRET: A small slender tower, usually set at the corner of a building, often containing a circular shaft.

Section 3-9-50.7. Variance, appeal and enforcement.

(a) **Variance.** Upon appropriate application in writing and upon meeting the criteria for variance contained in this Section and **Section 3-9-6.1** of the Code, an applicant may obtain a variance from the terms and provisions of this Charlotte Harbor Community Development Code.

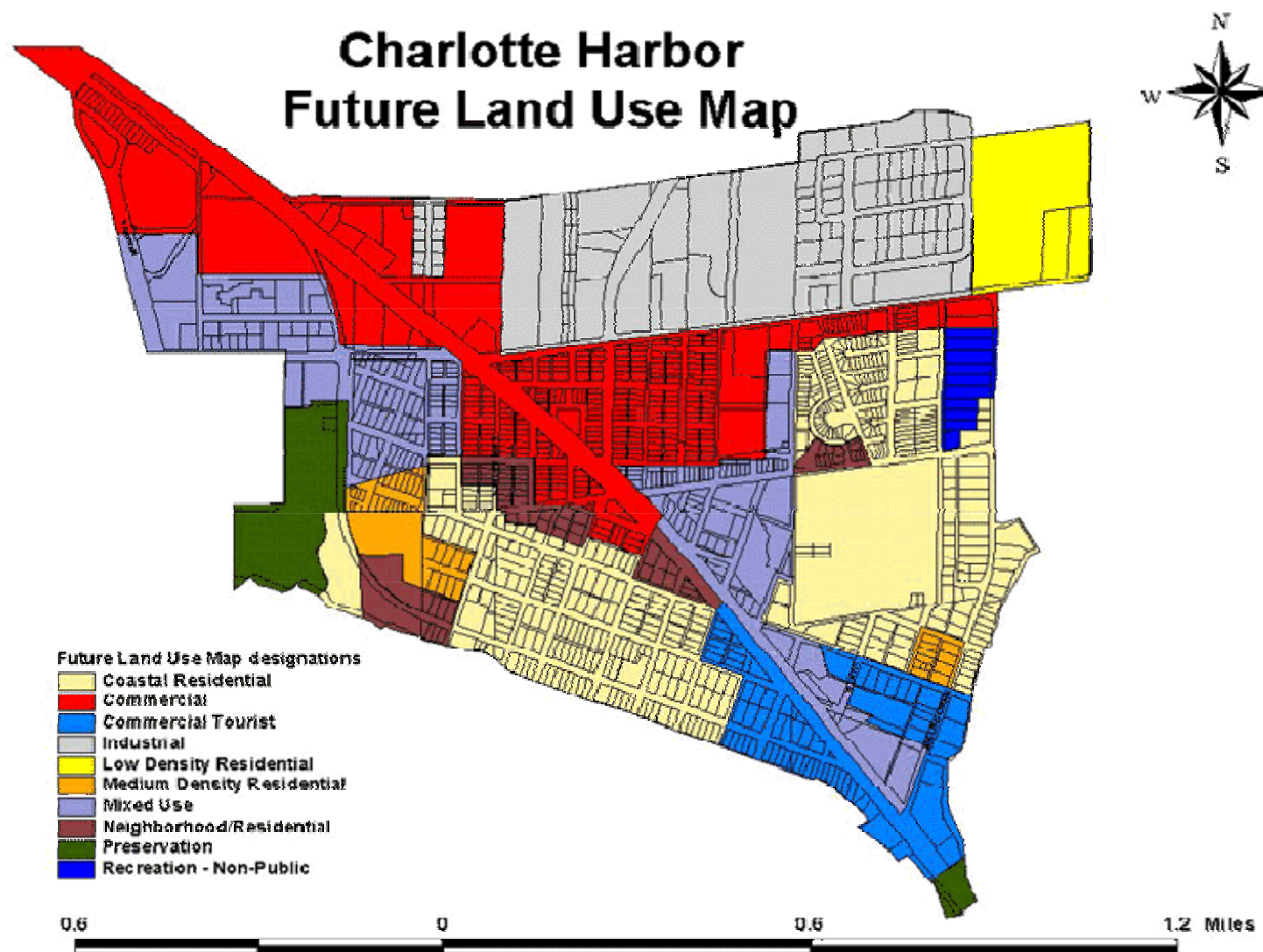
(b) **Appeal.** Any party aggrieved by a decision regarding the administration, interpretation or enforcement of this Charlotte Harbor Community Development Code may appeal such decision as a decision of the zoning official or an act of an administrative official pursuant to the applicable provisions of the Code governing such appeal or appeals.

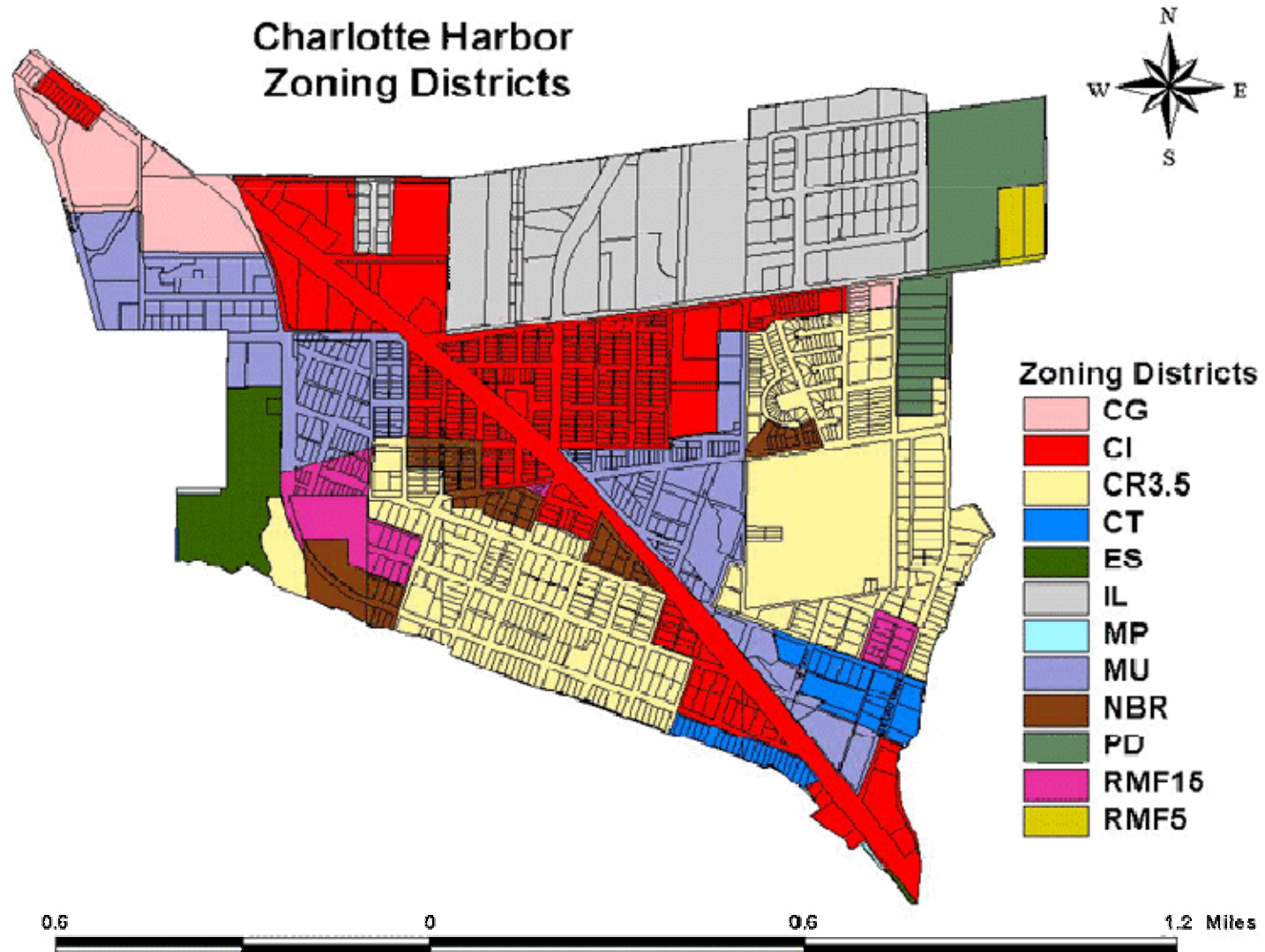
(c) **Enforcement.** Enforcement of this Charlotte Harbor Community Development Code shall be accomplished and allowed by any means permitted under any state or local statute, law, ordinance, code, rule or regulation at law or in equity.

Section 8. Conflicts. In the event of any conflict between the provisions of this ordinance and any other Code section or portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict. Where there may be any inconsistency between this ordinance and any other code or regulation, the more restrictive provision shall apply.

Section 9. Severability. If any section, subsection, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 10. Effective Date. This ordinance shall take effect upon filing in the Office of the Secretary of State, State of Florida.





CRA No-fill Zones

