

Community Redevelopment Plan
First Amendment Adopted September 27, 2005
Second Amendment October 18, 2010
Third Amendment July 11, 2017
Fourth Amendment July 13, 2021

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MURDOCK VILLAGE
COMMUNITY REDEVELOPMENT PLAN

Adopted February 22, 2005
First Amendment Adopted September 27, 2005
Second Amendment Adopted October 18, 2010
Third Amendment – July 11, 2017
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**MURDOCK VILLAGE
COMMUNITY REDEVELOPMENT PLAN**

THIS MURDOCK VILLAGE COMMUNITY REDEVELOPMENT PLAN has been prepared at the direction of the Board of County Commissioners, Charlotte County, Florida, and as ex-officio the Murdock Village Community Redevelopment Agency, pursuant to Resolution No. 2003-81, adopted May 27, 2003. This Fourth Amendment has been prepared consistent with the previous direction and adopted pursuant to Section 163.361, Florida Statutes and incorporates certain changes in formatting or corrections to scrivener's errors.

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1 **"Charlotte County Future Land Use Map" or "FLUM"** means the most recently adopted
2 map graphically demonstrating future land uses located in the Comprehensive Plan.

3 **"Community Redevelopment Act"** means Part III of Chapter 163, Florida Statutes.

4 **"Community Redevelopment Agency" or "Agency"** means the Murdock Village
5 Community Redevelopment Agency, a public body corporate and politic under the laws of the
6 State of Florida established pursuant to the Community Redevelopment Act.

7 **"Community Redevelopment Area" or "CRA"** means the Murdock Village Community
8 Redevelopment Area located entirely within a portion of unincorporated Charlotte County,
9 Florida, lying in Sections 1, 2, 10, 11, 12 and 14, Township 40 South, Range 22 East in Charlotte
10 County, Florida and being more particularly identified and described in County Resolution No.
11 2003-081. The Community Redevelopment Area is generally contained within the boundaries
12 created by El Jobean Road (SR 776) on the South; Stratford Drive on the West; Tamiami Trail (US
13 41) on the North; and Collingswood Boulevard on the East. A legal description of the Community
14 Redevelopment Area is included in County Resolution No. 2003-081 attached hereto as Appendix
15 **[A]**.

16 **"Community Redevelopment Plan"** means this Murdock Village Community
17 Redevelopment Plan, including any amendments, revisions or supplements hereto, as may be
18 amended or replaced.

1 **"Community Redevelopment Trust Fund"** means the trust fund established by County
2 Ordinance 2005-020 pursuant to the Community Redevelopment Act for the deposit of the tax
3 increment revenue attributable to the Community Redevelopment Area.

4 **"Comprehensive Plan"** means the Charlotte 2050 Comprehensive Plan, adopted in 2011
5 as amended or replaced.

6 **"County"** means Charlotte County, Florida or its governing body, the Board of County
7 Commissioners, as the context requires.

8 **"Core District"** means the area located south of Franklin Avenue, Buena Vista Circle, and
9 Seymour Avenue and north of SR776 as depicted in the diagram attached as Appendix [M].

10 **"Development Plan"** means the conceptual plan embodied in this Community
11 Redevelopment Plan, more particularly discussed in Section 7.01 and is graphically depicted in
12 the conceptual diagram attached hereto as Appendix [J], which describes in general terms the
13 approximate amount of parks and open space, and street layout and the location of residential
14 and non-residential land uses within the Community Redevelopment Area. The Development
15 Plan will guide development within the requirements of the Comprehensive Plan, this
16 Community Redevelopment Plan, applicable resolutions, ordinances, statutes and similar
17 regulations.

18 **"Finding of Necessity Report"** means the report prepared by Real Estate Research
19 Consultants, Inc., dated May, 2003, which documented blight conditions within the Community
20 Redevelopment Area and was used, in part, as a basis for the adoption of Resolution No. 2003-

1 081, Resolution No. 2003-082, and the interlocal agreement between the County and Agency,
2 dated May 27, 2003. A copy of the Finding of Necessity Report is attached hereto as Appendix
3 **[D]**.

4 "Gateway District" means the area located between north of Franklin Avenue, Buena Vista
5 Circle, and Seymour Avenue and south of US41, as depicted in the diagram attached as Appendix
6 **[M]**.

1 **SECTION 1.02. CONSTRUCTION.**

2 (A) Words importing the singular number shall include the plural in each case and
3 vice versa, and words importing persons shall include firms and corporations. Words that
4 reference only one gender shall include all genders.

5 (B) This Community Redevelopment Plan shall be liberally construed whenever
6 possible to have fully complied with and fulfilled all requirements, determinations, conditions,
7 elements and other matters provided for in the Community Redevelopment Act.

8 **SECTION 1.03. INCORPORATION.** The appendices hereto and each of the
9 documents referred to therein are incorporated and made a part hereof in their entirety by
10 reference.

11 **SECTION 1.04. SECTION HEADINGS.** Any headings preceding the texts of
12 the several Articles, Sections, Appendices, or Exhibits in this Community Redevelopment Plan
13 and any table of contents or marginal notes appended to copies hereof, shall be solely for
14 convenience of reference.

15

ARTICLE II

INITIATING REDEVELOPMENT

SECTION 2.01. BACKGROUND.

(A) The Community Redevelopment Act was created to assist local governments in eliminating and preventing slum and/or blighted areas that are detrimental to the health, safety and moral welfare of state residents.

(B) Planning and development efforts commenced in 2002 with assistance from the Urban Land Institute (ULI) which led to the creation of the Community Redevelopment Area and the Master Plan including the subsequent Finding of Necessity included as Appendix [D]. The Urban Land Institute advice was generally to "un-plat" a substantial portion of what is now the Community Redevelopment Area and reassemble such area into larger parcels in order to make it more appropriate for (re)development.

(C) From the outset, and as carried through with this Plan Amendment, the County's policy has been to structure an approach which focuses upon addressing blighted conditions and fostering redevelopment while encouraging maximum opportunities to use the expertise and abilities of private enterprise in conformance with the policy urgings of the Florida Legislature articulated in the Community Redevelopment Act.

(D) In 2003, a concept plan was developed to articulate the initial vision for redevelopment in the West Murdock area of the County which was subsequently designated as

1 the Community Redevelopment Area in Resolution 2003-081. The Agency and the County
2 adopted a Third Amendment which included a revised and amended Development Plan.

3 (E) Beginning in 2003, the County began to act on the recognition that community
4 redevelopment presented an innovative and effective growth management opportunity and
5 worked to create and implement a redevelopment initiative which commenced by further
6 investigating and addressing blighted area conditions in the Community Redevelopment Area.

7 (F) On May 13, 2003, the Board authorized, ratified, and confirmed the investigation
8 of the need for redevelopment in the unincorporated West Murdock area of the County in
9 Resolution 2003-073.

10 (G) On May 27, 2003, the Board adopted findings of necessity required by the
11 Community Redevelopment Act at Section 163.355, Florida Statutes, determining that the
12 Community Redevelopment Area was a blighted area within the meaning of the Community
13 Redevelopment Act and designated the Community Redevelopment Area as appropriate for
14 community redevelopment in Resolution 2003-081.

15 (H) On May 27, 2003, the Board adopted Resolution No. 2003-081 which created the
16 Community Redevelopment Agency and declared that the Board shall also sit ex-officio as the
17 Agency. Notwithstanding that the members of the Board of County Commissioners serve as the
18 governing body of the Agency, the Agency is a separate public body corporate and politic under
19 Florida law. The Agency was established to carry out redevelopment activities for the
20 Community Redevelopment Area.

1 (I) The County is the only taxing authority subject to the provisions of Section
2 163.387(2), Florida Statutes. Pursuant to the Community Redevelopment Act, and specifically the
3 last paragraph of Section 163.340(8), Florida Statutes, the Board and the Agency also adopted
4 Resolution No. 2003-082 to specifically document by separate resolution that the Board and the
5 Agency determined and agreed that the Community Redevelopment Area was a blighted area.

6 (J) Pursuant to the Community Redevelopment Act, and specifically the last
7 paragraph of Section 163.340(8), Florida Statutes, the County, as the only taxing authority affected
8 by the creation of the Community Redevelopment Area, has entered into an interlocal agreement
9 with the Agency, dated May 27, 2003, to specifically document by interlocal agreement that the
10 Board and Agency determined and agreed that the Community Redevelopment Area was a
11 blighted area.

12 (K) Resolution No. 2003-081, Resolution No. 2003-082 and the interlocal agreement
13 between the County and Agency were adopted after a public hearing and timely notice as
14 authorized and directed by the Board in its Resolution No. 2003-073 in compliance with all
15 provisions of Section 163.346, Florida Statutes. Resolution No. 2003-073 provided that proof of
16 such notice may be made by affidavit, in the form of an exhibit attached thereto.

17 (L) Finding of Necessity: In making its legislative determinations in Resolution No.
18 2003-081, Resolution No. 2003-082 and the foregoing interlocal agreement between the County
19 and Agency, the Board relied upon government maintained statistics, studies, expert reports,
20 witness testimony, and personal knowledge of the Community Redevelopment Area by members

1 of the Board, all of which constituted the record before the Board on May 27, 2003, in finding that
2 the factors identified in Section 163.340(8), Florida Statutes, existed within the Community
3 Redevelopment Area.

4 (M) In order to attract qualified redevelopment partners and to successfully
5 accomplish the vision and the concept plan, the Board adopted Resolution No. 2003-048 on March
6 11, 2003, which directed and authorized that land acquisitions occur first on a voluntary (and
7 somewhat random) basis within the Community Redevelopment Area through negotiated
8 purchases, and subsequently adopted Resolution No. 2003-128 which determined and directed
9 the use of the power of eminent domain in order to consolidate all, or substantially all, of the land
10 mass within the Community Redevelopment Area. On September 25, 2007, the Board adopted
11 Resolution 2007-137 which removed the provision allowing the County to exercise its power of
12 eminent domain for redevelopment purposes within the Murdock Village Community
13 Redevelopment Area.

14 (N) The County has invested a significant amount of capital using both short-term
15 and long-term financing to provide funding of at least \$110 million dollars for land acquisition
16 and related costs.

17 (O) On February 22, 2005, the County adopted Resolution 2005-042 which adopted the
18 Murdock Village Community Redevelopment Plan and established an effective date. On
19 September 27, 2005 the County adopted Resolution 2005-188, approving the first amendment to
20 the Community Redevelopment Plan. On October 18, 2010, the County adopted Resolution 2010-

1 097, approving the second amendment to the Community Redevelopment Plan. On July 11, 2017,
2 the County adopted Resolution 2017-178, approving the third amendment to the Community
3 Redevelopment Plan.

4 (P) On March 25, 2005 the County adopted Ordinance 2005-020 establishing a
5 Redevelopment Trust Fund for the CRA.

6 (Q) On February 19, 2008 the County adopted Resolution 2008-015 authorizing the
7 vacation of the majority of platted lots within the core of Murdock Village.

8 (R) On April 22, 2008 the County approved the transfer of the property within
9 Murdock Village identified for redevelopment to the Murdock Village Community
10 Redevelopment Agency.

11 (S) This Community Redevelopment Plan, including the conceptual diagram shown
12 in Appendix [J] and the character sketches shown in Appendix [L], is anticipated to guide
13 development of the Community Redevelopment Area within the requirements of the
14 Comprehensive Plan, this Community Redevelopment Plan, applicable resolutions, ordinances,
15 statutes, and other similar regulations.

16 (T) The Agency anticipates developing one or more Agreements or other offers for
17 disposal which shall provide for, among other things, the conditions precedent to the disposition
18 of lands within the Community Redevelopment Area, the restrictions upon, and covenants,
19 conditions and obligations to be assumed by any purchaser, the County, and the Agency, and the
20 disposition of lands within the Community Redevelopment Area.

1 (U) Concurrent with the preparation and adoption of this amended Community
2 Redevelopment Plan, the Agency with the assistance of their staff, consultants and advisors have
3 further refined the redevelopment strategy and Development Plan in a manner that takes into
4 consideration the County's and Agency's revised and updated vision, and the need to design
5 communities to meet market requirements in Southwest Florida. Any Agreement or other offers
6 for disposal anticipated by the Agency will articulate, not only provisions and terms for the
7 disposition of lands, but also may constrain the alienation of and subject such lands to restrictions,
8 covenants, conditions and obligations of the purchaser to redevelop the land in conformance with
9 this Community Redevelopment Plan. As required by the Community Redevelopment Act,
10 Charlotte County and the Agency adopted the Community Redevelopment Plan which includes
11 but is not limited to:

- 12 i) Vision, objectives, and strategies to achieve redevelopment.
- 13
- 14 ii) Statement(s) as to the type, size, and location of uses.
- 15
- 16 iii) Financial analysis.
- 17
- 18 iv) Capital planning.
- 19
- 20 v) A finding of consistency with the County's Comprehensive Plan.
- 21

22 (V) Prior to the execution of any Agreement, the Agency must give required public
23 notice of the intended disposition of lands in the Community Redevelopment Area. Such notice
24 is required by the Community Redevelopment Act and will invite proposals from and make all
25 pertinent information available to, private redevelopers or any persons interested and qualified

1 in undertaking to redevelop the Community Redevelopment Area. The Agency will consider
2 any and all redevelopment proposals for consistency with this Community Redevelopment Plan
3 and the financial and legal ability of any persons making such proposals to carry them out.
4 Pursuant to the Community Redevelopment Act, the Agency may accept any proposal deemed
5 to be in the public interest and are not bound by any requirement to accept any proposal based
6 solely upon an offered purchase price.

7 (W) The Agency shall prepare annually a report as required by Florida Statutes.

8 **SECTION 2.02. FINDING OF NECESSITY OVERVIEW.** Charlotte County
9 undertook and accepted a Finding of Necessity consistent with the Community Redevelopment
10 Act at Section 163.355, Florida Statutes. This legislative finding was made by the Board after the
11 public hearing on May 27, 2003. In making such statutorily required finding, the Board relied
12 upon government maintained statistics, studies, expert reports, witness testimony, and personal
13 knowledge of the Community Redevelopment Area by members of the Board including, but not
14 limited to, documentation on the extent of the blighted area conditions referred to herein as the
15 "Finding of Necessity Report", attached hereto as Appendix [D].

16 **SECTION 2.03. GENERAL DESCRIPTION OF REDEVELOPMENT AREA.**

17 (A) The Community Redevelopment Area is comprised of approximately 1,199.8
18 acres, including canals and road right-of-way, and is located entirely within the jurisdiction and
19 control of unincorporated Charlotte County and lies within Sections 2, 10, 11, 12 and 14, Range
20 40 South, Township 21 East.

1 (B) The Community Redevelopment Area is generally contained within the
2 boundaries created by El Jobean Road (SR 776) on the south; Stratford Drive on the west; Tamiami
3 Trail (US 41) on the north; and Collingswood Boulevard on the east. The main roads that service
4 the Community Redevelopment Area are Toledo Blade Boulevard, Flamingo Boulevard, and
5 O'Donnell Boulevard, which are all north-south roads.

6 **SECTION 2.04. BOUNDARY.**

7 (A) The Community Redevelopment Area was selected for redevelopment for a number
8 of reasons. While the area contained approximately 3,000 platted or subdivided lots on 1,199.8
9 acres, only seventy-seven (77) homes were constructed since platting occurred over three decades
10 ago. The Community Redevelopment Area is logically set apart from other areas by El Jobean
11 Road (SR 776) on the south, Statford Drive and the adjacent canal on the west, Tamiami Trail (US
12 41) on the north, and Collingswood Boulevard and the adjacent canal on the east.

13 (B) The map of the Community Redevelopment Area, attached hereto as Appendix **II**,
14 graphically depicts boundaries and lands contained within the Community Redevelopment
15 Area.

16 **SECTION 2.05. LEGAL DESCRIPTION.**

17 (A) The Community Redevelopment Act at Section 163.362, Florida Statutes, requires
18 that this Community Redevelopment Plan contain a legal description of the Community
19 Redevelopment Area. The legal description of the Community Redevelopment Area is included

1 in Resolution No. 2003-081 and is attached hereto as Appendix [A] and shown graphically in the
2 map in Appendix [I].

3 **SECTION 2.06. REDEVELOPMENT POWERS.** County Resolution

4 No. 2003-081 created and established the Agency, pursuant to the Community Redevelopment
5 Act. The Agency is constituted as a separate and distinct public instrumentality, and the exercise
6 by the Agency of the powers conferred by the Community Redevelopment Act shall be deemed
7 and held to be the performance of an essential public function. The Agency is authorized to
8 exercise all of the powers conferred by the Community Redevelopment Act which are necessary
9 and convenient to carry out and effectuate the purposes of community redevelopment and
10 related activities within the Community Redevelopment Area.

11

1 (B) In order to secure the involvement and participation of capable and qualified
2 redevelopment partners, the Agency continues to market and invite proposals from potential
3 redevelopment partners to implement the vision of the plan.

4 **SECTION 3.03. PROCEDURE FOR CONSIDERING AND ADOPTING THE**
5 **PLAN.**

6 (A) The Community Redevelopment Act at Section 163.360, Florida Statutes, outlines
7 the procedure for considering, adopting, and modifying this Community Redevelopment Plan.
8 The County and Agency have adopted this Third Amendment consistent with the applicable
9 Statutes including review and approval by the Board of County Commissioners upon a favorable
10 recommendation by the local planning agency and the Agency. This review and subsequent
11 approval also include a recommendation and finding that the Plan is consistent with the County's
12 Comprehensive Plan, as amended.

13 (B) The County is distinguished from all other local taxing authorities as the only
14 taxing authority subject to the provisions of Section 163.387(2), Florida Statutes. In other words,
15 the County is the only taxing authority subject to paying future tax increment funds, derived
16 solely from the Community Redevelopment Area, for redevelopment purposes.

17 (C) Despite the fact that the County is the only affected taxing authority, the
18 Community Redevelopment Act requires that notice of adoption of this Community
19 Redevelopment Plan be provided to each of the governing bodies having the ability to impose
20 taxes within the Community Redevelopment Area. After the Agency has provided notice to each

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- 1 of the governing bodies having the ability to impose taxes within the Community Redevelopment
- 2 Area and published the notice as prescribed by statute, the County may only then consider and
- 3 approve this Community Redevelopment Plan at a public hearing.

ARTICLE IV

MURDOCK VILLAGE REDEVELOPMENT VISION, OBJECTIVES, AND STRATEGIES

SECTION 4.01. APPROACH.

(A) This Article presents the vision for the Community Redevelopment Area and identifies potential objectives, strategies, and lays a foundation for the programs and projects to be considered by the County, the Agency and private enterprise in implementing this vision.

(B) Costs or budgets provided in this Community Redevelopment Plan are estimated, expressed in 2017 dollars, and do not take into consideration inflation or other increases. Costs and budgets are expected to be refined as additional research, plans, and documents are prepared to implement the particular objectives, strategies, and resulting programs and projects. The costs provided for budgeting purposes establish the framework for financial planning analysis.

(C) Costs or budgets should not be construed as exclusively the burden of the public sector. They are intended as recommended total costs with potential allocations to the public and private sectors assigned on the basis of the encouragement of private enterprise as a tool to carry out a significant portion of this Community Redevelopment Plan and apparent benefit, value, revenues or other relevant factors.

1 **SECTION 4.02. VISION FOR MURDOCK VILLAGE COMMUNITY**
2 **REDEVELOPMENT AREA.**

3 (A) Murdock Village is envisioned to be a mixed use, integrated development which
4 provides for the needs of current and future populations through creating a destination which
5 provides:

6 (1) Charlotte County and the surrounding southwest Florida area with a mix
7 of attractions, housing and employment.

8 (2) Distinct “neighborhoods” that serve as the basic building block of the
9 community.

10 (3) A variety of uses which provide for a vibrancy in the community including
11 entertainment, retail, educational and open spaces.

12 (4) An impression of economic stability and a sense of place, which adds to
13 the livability of the area.

14 (5) An area and identity that differs from the current (traditional)
15 development patterns and opportunities experienced in Charlotte County and the surrounding
16 municipalities.

17 (6) An attractor which takes advantage of its location and regional assets
18 including beaches, sports complex, and transportation resources.

1 (7) For the long-term viability of economic development and sustainable
2 development practices which create distinct opportunities for future development.

3 (B) The Community Redevelopment Area shall be divided into two areas:

4 (1) Gateway District: This area consists of both privately and Agency owned
5 platted lots located between the US41 corridor and the local streets of Franklin, Seymour and
6 Buena Vista Circle. The Agency's vision for this district is to encourage the assembly of parcels to
7 promote viable commercial development through purchase or transfer either as a component of
8 the Core District or standalone commercial development.

9 (2) Core District: This district consists of approximately 830 acres comprised
10 of 806 +/- acres of upland and 24 +/- acres of canal waterways that was originally acquired by the
11 Agency during the acquisition phase of the redevelopment program. The area also includes the
12 North Charlotte Regional Park, a Charlotte County Utilities site, a Charlotte County Public
13 Schools site, two church sites, and a Florida Power and Light site. The Agency's vision for this
14 district is to enter into one or more public private partnerships to create a mixed use, integrated
15 community. The three mixed-use areas shown on the Development Plan are located in the Core
16 District.

17 (C) Changing social, physical and economic conditions could warrant the
18 modification of this Community Redevelopment Plan. Game changers can significantly shift the
19 direction of the community especially Murdock Village based on its proximity to Sarasota

1 County. These can occur instantly or evolve over time and they can provide opportunities or
2 create obstacles. Some of the game changers identified include:

- 3 1) Demographic shifts.
- 4 2) Adjacent counties with similar goals.
- 5 3) Economy and employers.
- 6 4) Education and workforce (meeting expectations of potential employers).
- 7 5) Funding.
- 8 6) Need for enhanced private partnerships.
- 9 7) Opportunity sites and catalyst.
- 10 8) Environmental permitting.

11 (D) The sections and articles herein describe the Community Redevelopment Area,
12 suggest a vision, identify primary and community objectives for redevelopment, provide
13 strategies to mitigate or correct the blighted area factors identified by the County and Agency
14 and conclude with a demonstration of how this Community Redevelopment Plan conforms to
15 the Comprehensive Plan.

16 **SECTION 4.03. REDEVELOPMENT INITIATIVES.**

17 (A) In partnership with private enterprise and other governmental entities, the
18 redevelopment initiative embodied in this Community Redevelopment Plan will reverse and
19 remove the observed blighting conditions within the Community Redevelopment Area by
20 leveraging public assets to improve the overall economic condition and the physical condition of

1 the Community Redevelopment Area. Creating a mixed-use community within the boundaries
2 of the Community Redevelopment Area will not only greatly enhance the quality of life within
3 the Community Redevelopment Area, but is anticipated to reduce congestion and effectively
4 manage allowable densities.

5 (B) Strategic initiatives are to be identified and placed into action to address, reverse
6 and remove the blighted area conditions that have substantially impaired the growth and
7 development of the Community Redevelopment Area and would most certainly forestall the
8 achievement of the County's and Agency's redevelopment objectives. Ultimately, the
9 Community Redevelopment Area will be substantially cleared, redeveloped, and revitalized as a
10 community focal point to the benefit of County residents, businesses, property owners and
11 visitors through implementation of this Community Redevelopment Plan.

12 (C) Objectives have been identified as either "primary" or "community." The primary
13 objectives are deemed the most important in addressing, removing, or mitigating blighted area
14 conditions within the Community Redevelopment Area identified by the County and Agency
15 and also addressed in the Finding of Necessity Report. The community objectives are necessarily
16 secondary to the principal focus of this Community Redevelopment Plan that is intended to pave
17 the way for the redevelopment of the area as a mixed-use community. Nonetheless, the
18 community objectives are important and will be implemented as revenues permit. The objectives
19 and their corresponding strategies, anticipate maximizing the use of private enterprise to achieve
20 the redevelopment goals.

1 **SECTION 4.04. PRIMARY OBJECTIVES AND STRATEGIES.**

2 (A) Primary Objective 1: Ensure that regulatory measures are in place to promote the
3 redevelopment of the Community Redevelopment Area as a vibrant mixed-use community.

4 (1) When the County embarked upon its redevelopment initiative, the
5 Comprehensive Plan did not designate the Community Redevelopment Area as a mixed-use
6 redevelopment area. The County, following approval by the State of Florida Department of
7 Community Affairs, subsequently adopted a series of text amendments. These amendments
8 added new objectives and policies to support the redevelopment of the Community
9 Redevelopment Area as a vibrant mixed-use community.

10 (2) Core District: To implement the vision for the Community Redevelopment
11 Area, the Agency supports the adoption of specific mixed-use Planned Development (PD) zoning
12 within the Core District in partnership with private developers to further implement the vision
13 as articulated in one or more Agreements. Privately-owned properties, properties owned by
14 Charlotte County and Charlotte County Public Schools may develop according to existing zoning
15 on the property. The County may adopt a specific mixed use zoning district for this area in the
16 future.

17 (3) Gateway District: To encourage land assembly and redevelopment, the
18 Agency supports creating a viable commercial corridor and supports development according to
19 the existing zoning or as a Planned Development. Additional standards or a new zoning district

1 may be adopted by the County to enhance the area and support the redevelopment of the Core
2 District.

3 (B) Primary Objective 2: Facilitate and follow-through with a land acquisition and
4 disposition program to stimulate real and substantial public/private interest and participation in
5 the redevelopment of the Community Redevelopment Area as a mixed-use community. Land
6 assembly was completed in 2007 and the County and Agency do not anticipate acquiring
7 additional lands as part of this Community Redevelopment Area; however, this does not
8 preclude the County and Agency from pursuing additional lands should the factors support it.

9 (1) The County's and Agency's acquisition strategy in the Community
10 Redevelopment Area began in 2003 with random voluntary negotiated purchases followed by
11 direction to use the power of eminent domain to consolidate land acquisitions in a series of
12 acquisition phases beginning west of the Community Redevelopment Area heading east. In 2007,
13 the land acquisition program was completed. Approximately 871 acres of property was acquired
14 within the Community Redevelopment Area and deeded to the Agency.

15 (2) The Community Redevelopment Act at Section 163.380(2) allows the
16 County and Agency to take into account and give consideration to the long term benefits to be
17 achieved by acquiring lands and facilitating the redevelopment of the Community
18 Redevelopment Area, including the anticipated resultant short-term losses or costs in the disposal
19 of any lands acquired. The proceeds from the sale of the lands acquired within the Community

1 Redevelopment Area are expected to offset a substantial portion, but not all, of the initial expenses
2 incurred by the County.

3 (3) Consistent with the Community Redevelopment Act at Section 163.335(3),
4 Florida Statutes, all land acquisitions done for community redevelopment purposes are done for
5 public purposes. Accordingly, the acquisition of all, or substantially all, of the lands within the
6 Community Redevelopment Area by the County or the Agency provided a means to effectively
7 address and make unenforceable archaic and problematic deed restrictions which would
8 otherwise frustrate or make redevelopment not feasible.

9 (C) Primary Objective 3: Dispose of lands acquired by County and Agency in
10 conformance with the Community Redevelopment Act.

11 (1) Pursuant to the Community Redevelopment Act at Section 163.380,
12 Florida Statutes, the County and Agency will only sell, lease, or otherwise transfer lands acquired
13 within the Community Redevelopment Area, as permitted by law. The terms under which land
14 within the Community Redevelopment Area will be disposed of to one or more redevelopment
15 partners will be documented in an Agreement. The Agreement will be consistent with the vision
16 of the County and Agency and this Community Redevelopment Plan. A proposed Agreement
17 will also provide a significant benchmark which all proposers may use to respond during the
18 thirty (30) days after published notice of the Agency's intent to enter into an agreement relating
19 to the disposition of property following a duly noticed public hearing; all as provided by the
20 Community Redevelopment Act at Section 163.380, Florida Statutes. In evaluating any proposals,

1 the Community Redevelopment Act allows the Agency to take into account and give
2 consideration to long-term benefits to be achieved by the Agency resulting from short-term losses
3 or shortfalls resulting from the disposal of lands acquired for community redevelopment
4 purposes pursuant to this Community Redevelopment Plan and any Agreement.

5 (2) It is the policy intent of this Community Redevelopment Plan to both
6 achieve the County and Agency vision embodied herein while at the same time maximizing the
7 return from the sale of lands acquired by the County and Agency for community redevelopment
8 purposes. All lands acquired by the County and Agency for community redevelopment
9 purposes are to be transferred as rapidly as feasible in the public interest, consistent with carrying
10 out the provisions of this Community Redevelopment Plan.

11 (D) Primary Objective 4: To have the Charlotte County financial investment in
12 Murdock Village pay for itself through sales proceeds and improved tax base.

13 (1) In 2003, County finance officials, consultants and advisors contemplated
14 the method and means to fund and finance the assembly of lands within the Community
15 Redevelopment Area and determined that the County had the capacity and ability to combine all
16 outstanding loans related to land acquisitions in the Community Redevelopment Area with
17 additional funds required to fund the acquisition of all, or substantially all, of the lands within
18 the Community Redevelopment Area through the issuance of at least \$110 million in short term
19 debt obligations which would maintain the flexibility to call or redeem debt at any time in the
20 future as proceeds become available from the disposition of lands. The County's financial

1 advisors have determined that such short-term financing mechanisms will not put an adverse
2 burden on the County's financial position. Such initial financing can be secured by a non-ad
3 valorem revenue pledge by the County with a covenant to budget and appropriate. Such a
4 financing structure would require the County to allocate other legally available funds in the form
5 of non-ad valorem revenues which the County could otherwise use for alternative projects;
6 however, the use of such short term financing mechanisms will provide significant flexibility,
7 until the disposition of lands, long term financing and delivery of capital improvements begins
8 to occur. Over the years, the County has paid down the outstanding principal and restructured
9 the loans to best meet the financial obligations.

10 (2) To the extent that the County and Agency are able to maximize their return
11 from the sale of lands acquired within the Community Redevelopment Area, initial funding
12 financed by the County will be correspondingly paid down. The Agency anticipates allocating
13 tax increment revenues derived from the Community Redevelopment Area and paid into the
14 Community Redevelopment Trust Fund to secure taxable obligations to repay any "shortfall"
15 between the purchase price paid by the County and Agency for lands subsequently sold to private
16 enterprise and costs incurred by the County and Agency in acquiring such land and initiating
17 redevelopment within the Community Redevelopment Area. This achieves the County's policy
18 direction that the redevelopment initiative must strive to repay over time all land acquisition and
19 redevelopment initiative related costs and expenses advanced by the County.

1 (E) Primary Objective 5: Establish one or more public/private partnerships to
2 encourage and use expertise of private enterprise to implement the redevelopment vision.

3 (1) It is critical that partnerships with the private sector and other
4 governmental entities be established to ensure that the Community Redevelopment Area is
5 redeveloped as a viable and thriving mixed-use community. Such partnerships should provide
6 capital resources, skills and expertise to manage and execute the Agency's redevelopment
7 initiative.

8 (2) The Agency has and will continue to solicit input from private enterprise
9 to generate interest and attract willing and capable developers to implement the County and
10 Agency vision for the Community Redevelopment Area. Prior to execution of an Agreement, the
11 County shall at all times reserve the right to evaluate any developer proposal and determine
12 which options best implement the County's and Agency's vision for the Community
13 Redevelopment Area.

14 (3) The Agency anticipates entering into an Agreement with one or more
15 developers. Terms of the Agreement should clearly articulate the role of the County and Agency,
16 the role of the developer, identify the lands to be conveyed, the consideration to be paid, terms of
17 closing, conditions precedent to closing, including but not limited to, due diligence matters,
18 determination and allocation of entitlements, Comprehensive Plan and Community
19 Redevelopment Plan conformity, zoning issues, vacation of plats and right-of-way, site

1 conditions, provisions for and control of the delivery of title research and clear title, an acceptable
2 boundary survey and related closing procedures.

3 (4) The Agreement may address the mechanisms used to fund, finance and
4 deliver infrastructure to the Community Redevelopment Area in a manner consistent with this
5 Community Redevelopment Plan. The Agreement will be only entered into after notice and a
6 public hearing provided for in the Community Redevelopment Act.

7 (5) The County and Agency will assign or dedicate a focused staff member or
8 other counsel or personnel to coordinate with private or public sector redevelopment participants
9 and to audit performance and ensure that the integrity of the County's and Agency's vision of the
10 Community Redevelopment Area is implemented and maintained.

11 (F) Primary Objective 6: Create a mixed-use community that implements the
12 Community Redevelopment Area vision.

13 (1) The Community Redevelopment Area may consist of a combination of
14 residential, commercial, entertainment, recreational, professional office, light industrial, civic,
15 educational and institutional uses to encourage long term sustainable development.

16 (2) The Community Redevelopment Area shall include distinct, diverse
17 residential and non-residential neighborhoods. It is understood the following land uses may be
18 provided in each of the three (3) mixed use areas designated on the Development Plan; however
19 are not required to be provided in each. Development standards provided with each land use

1 type are guidelines for development (i.e., acreage, density/intensity); and may vary on a case-by-
2 case basis subject to the County and Agency approval.

3 (3) Residential neighborhoods may feature neighborhood parks and/or access
4 to existing County recreational facilities, open space and easy access to a network of
5 bicycle/pedestrian facilities, greenways and blueways, with special consideration for the health,
6 safety and welfare of children residing in the Community Redevelopment Area and general
7 vicinity. They are also envisioned to provide a diversity in housing styles, types, and price ranges.

8 (4) Non-residential land uses may be concentrated and developed to create a
9 destination attraction, dispersed in neighborhoods serving non-residential, and/or developed in
10 a campus-style mixed use pattern.

11 (5) Business Research and Technology Park: The Business Research and
12 Technology Park (BRT) is envisioned to include a mixture of light industrial, research and
13 development, commercial, healthcare and educational (University/College Campus) uses. The
14 desired development form is a campus-type setting which provides for a system of
15 interconnected transportation systems, and greenways/parks.

16 (6) Community redevelopment activities within the Gateway District will
17 focus on innovative solutions that provide the opportunity to enlarge, consolidate or reconfigure
18 building lots and enhance the quality of site layout, access, and may encourage enhanced
19 architectural features, signage and landscaping to complement the Core District.

1 (7) The Community Redevelopment Area shall be designed to provide for
2 pedestrian and bicycle friendly public streets to promote safe, convenient and comfortable access
3 to neighborhoods, parks, neighborhood shopping, schools and other civic and institutional uses.

4 (G) Primary Objective 7: Improve transportation facilities within the Community
5 Redevelopment Area to facilitate capture of internal trips, enhance regional connection and
6 improve emergency evacuation. Improvements will be consistent with the most recently adopted
7 Charlotte County-Punta Gorda Metropolitan Planning Organization Long Range Transportation
8 Plan including the regional evacuation route system.

9 (1) The transportation component of the Community Redevelopment Area
10 provides for both vehicular and pedestrian traffic. By providing a proper mix of land uses, a
11 portion of the trips for residents and employees within the Community Redevelopment Area
12 should be satisfied within the development itself at full buildout.

13 (2) The close proximity of the Community Redevelopment Area to major
14 arterials, Tamiami Trail (US 41) and El Jobean Road (SR 776), enables the creation of gateways
15 into the Community Redevelopment Area from regional north-south connector roads. Flamingo
16 Boulevard and Toledo Blade Boulevard will be re-platted and designed in a manner that
17 addresses north-south connectivity, safe pedestrian crossing and emulates the overall character
18 of the mixed-use redevelopment district.

19 (3) Roadway and streetscape improvements will improve access and traffic
20 flow for internal and regional connections, provide for pedestrian and bicycle facilities and

1 overall beautification. The following will be considered as guidelines for roadway and
2 streetscape improvements.

3 (a) Undertake roadway and streetscape improvements on the primary
4 roads and waterways within and along the perimeter of the Community Redevelopment Area
5 consistent with approved development.

6 (b) Provide the ability for vehicles, pedestrians and bicyclists to access
7 an enhanced internal transportation network that connects the neighborhoods to services and
8 recreation facilities.. This includes exploring ways to enhance east/west connectivity.

9 (c) Explore innovative access management solutions with Florida
10 Department of Transportation to reduce curb cuts especially along Tamiami Trail (US 41).

11 (d) Explore alternate service roads and associated buffers to serve
12 commercial development along Tamiami Trail (US 41), thereby managing access onto this
13 roadway.

14 (e) Develop and incorporate landscape and lighting design standards
15 to create a safe and inviting environment.

16 (f) Underground utilities where feasible to protect property during
17 natural disasters and increase visual appeal.

18 (g) Integrate traffic calming techniques where feasible to enhance
19 safety and facilitate a pedestrian/bicycle friendly environment. Traffic calming techniques may
20 include roundabouts, use of pavers or decorative concrete, raised pavement, change of landscape

1 treatment and the creation of pedestrian nodes at major intersection, mid-block crossings and
2 other locations where potential conflicts exist between vehicles, pedestrians and bicyclists.
3 Creative options to traverse major streets, such as Toledo Blade Boulevard and Flamingo
4 Boulevard, should be investigated. Pedestrian safety and Crime Prevention Through
5 Environmental Design (CPTED) standards should be employed along with aesthetic
6 considerations when evaluating, designing and implementing pedestrian crossings.

7 (h) Consider special enhancements or partnerships to supplement
8 private entity efforts to improve primary roadways, waterways and gateways.

9 (i) Leverage the existing greenway and blueway networks to increase
10 pedestrian, bicycle and boat/watercraft access and connectivity to the various existing parks and
11 natural resources within and adjacent to the Community Redevelopment Area.

12 (H) Primary Objective 8: Identify and promote a workable means to fund, finance
13 and deliver utility and infrastructure improvements needed to promote the mix-used
14 redevelopment of the Community Redevelopment Area.

15 (1) Concurrent with the primary roadway improvements, the County, the
16 Agency, or private developer shall coordinate the delivery of infrastructure and utility
17 improvements along the major roadways.

18 (2) Explore and execute innovative ideas to transform the existing canals and
19 stormwater conveyance systems into an amenity for the benefit of the Community
20 Redevelopment Area, including by way of example and not limitation, the design of retention

1 and stormwater management features which provide positive aesthetics and function to
2 community open space.

3 (I) Primary Objective 9: Provide for and enhance parks, recreation facilities and
4 public space improvements in a manner that enhances the Community Redevelopment Area as
5 a mixed-use community.

6 (1) Explore partnerships and interlocal agreements with the private sector and
7 other governmental entities to ensure that the existing and proposed neighborhood parks,
8 recreation facilities and greenways within the Community Redevelopment Area are well
9 maintained, accessible, safe and inviting.

10 (2) Special enhancement funds may be made available to improve existing
11 parks and other natural preserve/conservation areas to support the vision and intent for the
12 Community Redevelopment Area. The following will be considered by the County, the Agency,
13 and any private redevelopment partner as guidelines for existing and new parks, recreation and
14 public spaces.

15 (a) Provide sufficient public access to North Charlotte Regional Park
16 and other various parks and natural resources within and adjacent to the Community
17 Redevelopment Area.

18 (b) Evaluate the opportunities to integrate the North Charlotte
19 Regional Park into, while complementing, adjacent land uses. Any such integration should

1 enhance the overall character of the Community Redevelopment Area and not be designed or
2 developed in a manner that segregates the mixed-use community.

3 (c) Leverage existing and proposed parks, natural preserves,
4 conservation areas, blueways and greenways to serve as amenities for the Community
5 Redevelopment Area and adjacent communities.

6 **SECTION 4.05. COMMUNITY OBJECTIVES AND STRATEGIES.**

7 (A) Community Objective 1: Aesthetic and Planning Review: Planned Developments
8 are encouraged to develop architectural and maintenance standards specific to individual
9 developments to guide redevelopment and maintenance activities within the Community
10 Redevelopment Area.

11 (1) The Agency may participate in any design review committee created by a
12 County, developer or the community development district, or homeowners association to assure
13 the Agency's vision is maintained over a period of time.

14 (B) Community Objective 2: Maintaining a Safe and Clean Environment: Ensure that
15 the Community Redevelopment Area is safe and clean over a period of time.

16 (1) The Community Redevelopment Act encourages "community policing
17 innovations." This concept is defined as policing techniques or strategies designed to reduce
18 crime by reducing opportunities for, and increasing the perceived risks of engaging in, criminal
19 activity through visible presence of law enforcement in the community, including, but not limited
20 to, community mobilization, neighborhood block watch, citizen patrol, foot patrol, storefront

1 police stations or intensified motorized patrol. The intent of these programs will be to improve
2 the actual and perceived security, building safety and appearance of the Community
3 Redevelopment Area. To realize the full intent of the community policing, the following
4 initiatives may be undertaken.

5 (a) Law enforcement officers and security personnel will be able to
6 circulate throughout the Community Redevelopment Area on a regular basis to meet visitors,
7 residents and business owners, listen to their security concerns and ask for their ideas to solve
8 crime problems. Whenever possible, officers will attend community meetings and special events.

9 (b) Periodically analyze the crime "blotter" to assess the numbers and
10 types of law enforcement responses within the Community Redevelopment Area. This analysis
11 can be used to identify problems and trends.

12 (c) Create a special patrol or "beat" for the Community
13 Redevelopment Area to provide a stronger law enforcement presence, additional door checks,
14 bicycle patrols and like alternatives.

15 (d) Develop innovative techniques to address special needs of visitors.

16 (e) Implement Crime Prevention Through Environmental Design
17 (CPTED) standards to correct any security problems related to site improvements such as site
18 design, lighting and vegetation. These standards may be integrated into development/design
19 manuals and can be printed and distributed throughout the Community Redevelopment Area.

1 (2) The County and Agency may identify, execute, and coordinate special
2 maintenance standards and programs for public facilities or areas such as the North Charlotte
3 Regional Park, roadways, open space areas, entries, and commercial properties along Tamiami
4 Trail (US 41).

5 (C) Community Objective 3: Provide Additional Infrastructure and Services: The
6 County and Agency may plan, design and deliver additional infrastructure improvements or
7 services within or outside of the Community Redevelopment Area if appropriate and deemed
8 that those improvements enhance the quality or attractiveness of the Community Redevelopment
9 Area especially with regard to public amenities within the Community Redevelopment Area. It
10 is understood the Agency may only fund those improvements and services within the boundary
11 of the Community Redevelopment Area and providing they are included in the Community
12 Redevelopment Plan. The Agency may partner with other entities including but not limited to
13 the County, Florida Department of Transportation (FDOT), Southwest Florida Water
14 Management District, etc., in the provision of infrastructure and services.

15 (1) Such additional infrastructure may include undergrounding utilities in
16 certain areas to achieve a desired visual impact, upgrading technology and telecommunications
17 availability to attract businesses or the enhancement of landscape areas and the development of
18 off-site signage. Such additional improvements will complement the redevelopment partner's
19 plans for the Community Redevelopment Area.

1 (2) Such additional services may include extraordinary right-of-way or other
2 public area maintenance, planning and implementing cultural, charitable or place making
3 activities and events and related services which showcase the Community Redevelopment Area.

4 (D) The conceptual diagram of the Development Plan, attached hereto as Appendix
5 [J], generally illustrates the location and relationships of the mixed use areas, generalized land
6 uses, major thoroughfares, street layout, parks and open spaces, related to implementing the
7 overall objectives and strategies envisioned for the Community Redevelopment Area. It is
8 understood that smaller, neighborhood and/or local serving infrastructure including roadways,
9 parks and open spaces shall be provided to support the respective neighborhood. Appendix [L]
10 contains character sketches which are intended to provide a conceptual representation
11 supporting the objectives discussed in this Community Redevelopment Plan. The elements
12 shown in the conceptual diagram and character sketches are illustrative in nature and may be
13 relocated or realigned in future planning initiatives as long as modifications are generally
14 consistent with the vision articulated in this Community Redevelopment Plan.

15

ARTICLE V

STATUTORY COMPLIANCE

SECTION 5.01. STATUTORY REQUIREMENTS.

(A) The Community Redevelopment Act at Sections 163.360 and 163.362, Florida Statutes, requires every community redevelopment plan to contain specific information relevant to its particular redevelopment initiative. This article supplements and addresses the informational requirements articulated in the Community Redevelopment Act and serves to further describe the objectives and strategies presented in this Community Redevelopment Plan to implement the redevelopment initiative envisioned by the County and Agency for the Community Redevelopment Area.

(B) Appendix [J] and Appendix [L] show by diagram and concept sketch form what is described in general terms in this Section. This Section and the referenced appendices are consistent with the requirements of the Community Redevelopment Act at Section 163.362(2), Florida Statutes, and demonstrates by diagram and in text (1) the approximate amount of open space to be provided and street layout, (2) limitations on the type, size, height, number, and proposed use of buildings, (3) the approximate number of dwelling units, and (4) such property as is intended for use as public parks, recreation areas, streets, public utilities and public improvements.

1 (C) The Development Plan discussed in Section 7.01 further describes the urban
2 design intent and components of parks and open space, street layout, location of land uses
3 including residential neighborhoods and properties that may receive public improvements.

4 **SECTION 5.02. APPROXIMATE AMOUNT OF PARKS AND OPEN SPACE.** It
5 is anticipated that the Community Redevelopment Area will have a minimum of 20% recreation
6 and open space lands. It is understood that smaller, neighborhood and/or local serving
7 infrastructure including roadways, parks and open spaces shall be provided to support the
8 respective neighborhood. This estimated acreage (20%) may include specific areas reserved for
9 retention and other conservation/preservation easements as deemed appropriate by the County
10 and Agency. The North Charlotte Regional Park counts towards this percentage/total acreage;
11 however, is not intended to be the sole source of parks and open spaces within the Agency

12 **SECTION 5.03. STREET LAYOUT.** The transportation component for the
13 Community Redevelopment Area is expected to focus both on vehicular and pedestrian traffic in
14 a manner that creates a pedestrian and bicyclist friendly, convenient and safe environment. The
15 close proximity to major arterials enables the creation of a new network of connecting roads and
16 gateways into the Community Redevelopment Area.

17 **SECTION 5.04. LIMITATIONS ON THE TYPE, SIZE, HEIGHT, NUMBER AND**
18 **PROPOSED USE OF BUILDINGS.**

19 (A) The Community Redevelopment Area, as a whole will be redeveloped as a
20 mixed-use community that will include a variety of uses, which may include: residential, retail,

1 commercial, medical/healthcare, employment generating light industrial, office, public,
2 educational, recreational and institutional facilities. The following provides development
3 parameters for the Community Redevelopment Area. The descriptions included are not intended
4 to be exclusive land uses but are representative of either the intended mix of uses or the
5 predominant land uses. Densities and intensities provided below are generalized in nature;
6 however, shall not be construed or interpreted to be specific maximum levels of development.
7 The Murdock Village Mixed Use (MVMU) land use category adopted in the Charlotte 2050
8 Comprehensive Plan, as may be amended, shall provide the specific development standards
9 providing the total development permitted. Development within Murdock Village is exempt
10 from any Transfer of Density Units policies in the Comprehensive Plan and from the Transfer of
11 Density Units requirements of the Land Development Code. All land uses described below are
12 envisioned to be provided throughout the Community Redevelopment Area and not required to
13 be provided in each of the identified Gateway or Mixed Use areas as identified on the
14 Development Plan.

15 (B) Neighborhood Residential (NR) land use areas are intended to be distinct,
16 interconnected, diverse residential neighborhoods that offer a variety of housing options and
17 price ranges. Residential densities within the Neighborhood Residential areas are expected to
18 range from three (3) to six (6) dwelling units per acre for single family residential (SFR) and six
19 (6) to fifteen (15) dwelling acres per acre for multi-family residential (MFR). These uses are

1 intended to be focused in Mixed Use #3 on the Development Plan; however, may be provided in
2 the other Mixed Use areas to provide employment supporting uses.

3 (C) Internal Commercial (IC) land use areas are expected to range in size from four (4)
4 acres to no more than sixteen (16) acres to provide for daily convenience goods, professional,
5 personal, and business services. These areas are expected to typically have floor area ratios not
6 exceeding 2.0 and may be located within the residential neighborhood(s) it is intended to serve.
7 These uses may be provided in all Mixed Use areas.

8 (D) Community Commercial (CC) land use areas are intended to provide for daily and
9 lifestyle needs and services for the residents of Murdock Village as well as the residents of the
10 general community but also support those within Charlotte County and the surrounding
11 communities. This land use district also supports the destination entertainment and recreational
12 uses. Non-residential uses in this category typically have floor area ratios not exceeding 3.0.
13 Where residential uses are permitted, residential densities are expected to range between six (6)
14 and fifteen (15) dwelling units per acre and may be integrated either vertically or horizontally
15 with the commercial development. These uses are intended to be focused in Mixed Use #1 on the
16 Development Plan; however, may be provided in the other Mixed Use areas.

17 (E) General Commercial land use area is intended for the Gateway District which is
18 generally comprised of smaller, individual lots of varying ownership. Development within this
19 district may develop consistent with the current (underlying) zoning (Commercial General);
20 however, the vision of the Agency is to support the aggregation of properties to create cohesive

1 development parcels. As part of this, the Agency would consider land sales and/or "swaps"
2 subject to an agreement to help facilitate the development. Non-residential uses are expected to
3 have a floor area ratio of up to 3.0. Where residential uses are permitted, residential densities are
4 expected to range up to fifteen (15) dwelling units per acre.

5 (F) Business Research and Technology Park (BRT) land use areas are intended for
6 activities that diversify the economic base of the community and include light industrial, light
7 fabrication, service, printing, storage and packaging uses that do not have nuisance impacts on
8 adjacent uses from dust, odor, noise, vibration, or glare; warehousing where associated with and
9 serving as an accessory to the principal use may also be permitted. This district also supports the
10 development of a hospital and healthcare related uses and educational facilities. These uses are
11 intended to be focused in Mixed Use #2 on the Development Plan; however, may be provided in
12 the other Mixed Use areas.

13 (G) The University/College Campus (UC) land use area is intended to provide
14 educational and residential opportunities in an urban, rather than a suburban campus. Uses
15 allowed include buildings for academic, administrative, dormitory, and support service uses,
16 parking garages and surface lots, and other uses customarily part of a university or college
17 campus. The Campus land use area is expected to range in size up to fifty-five (55) acres. This
18 may be a stand-alone district or incorporated as a sub-district within the Core District.
19 Supporting residential uses shall be permitted and may take several forms including dormitories
20 and multi-family uses. Non-residential uses are expected to have a floor area ratio of up to 4.0.

1 These uses are intended to be focused in Mixed Use #2 on the Development Plan; however, may
2 be provided in the other Mixed Use areas.

3 (H) The Primary and Secondary Education Facilities (EF) land use area is intended to
4 provide a public school site within the Community Redevelopment Area. The land use area is
5 expected to range in size up to forty (40) acres and have a floor area ratio not to exceed 4.0. These
6 uses are intended to be focused in Mixed Use #2 on the Development Plan; however, may be
7 provided in the other Mixed Use areas.

8 (I) Civic and institutional uses such as schools, churches and government facilities
9 may be located within residential neighborhoods, or the Internal Commercial areas. Civic and
10 institutional uses within the Community Redevelopment Area are expected to have a floor area
11 ratio not to exceed 3.0. These uses may be provided in all Mixed Use areas.

12 (J) Residential dwelling units will be allowed in the same buildings as office or
13 commercial uses or multi-use development sites.

14 (K) Multi-use development on the same parcel must be compatible with surrounding
15 land uses.

16 (L) Building design, including height and location, is expected to reinforce a
17 pedestrian-oriented character and scale including linkages between land uses through a
18 functional bicycle-pedestrian system.

1 (M) Design/development standards may be drafted and adopted to properly guide
2 land use relationships and provide design criteria for site and building design, including the
3 height of structures to be located within the Community Redevelopment Area.

4 **SECTION 5.05. NUMBER OF DWELLING UNITS, DEVELOPMENT RIGHTS;**
5 **CONCURRENCY.**

6 (A) In 2008, the County adopted Ordinance 2008-002 amending the Murdock Village
7 Mixed-Use Redevelopment District providing a means to modify the total development vested
8 rights approved in the Binding Letter of Interpretation of Vested Rights (BLVR) and through an
9 equivalency matrix.

10 (B) In March 2008, the County adopted Ordinance 2008-026 establishing procedures
11 to determine vested rights and modifications of a determination of vested rights.

12 (C) In March 2009, the County, the Agency and the Charlotte County Public Schools
13 submitted a joint application to the County and received determination from the County that the
14 property, identified in the application, is vested from transportation concurrency up to 97,961
15 daily trips.

16 (D) The County from time to time may revise, pursuant to the County's Code and its
17 rules, specifications and procedures, the number of daily trips that are vested from transportation
18 concurrency, which may adjust the authorized development rights in the Community
19 Redevelopment Area. Limitations on development rights are also described in the County's
20 comprehensive plan. Transportation improvements on- or off-site may result in additional daily

1 trips. Therefore, the number of dwelling units and other development rights in the Community
2 Redevelopment Area, as described in the BLVR, the comprehensive plan and subsequent
3 determinations, shall be subject to periodic revision by the County and this document shall not
4 serve to limit the County's or the Agency's discretion in this regard.

5 (E) The Comprehensive Plan establishes minimum levels of services, or concurrency,
6 for six types of facilities and infrastructure: potable water, sanitary sewer, solid waste, drainage,
7 recreation and open space, and transportation facilities. Construction activities within the Core
8 District of the Community Redevelopment Area will be permitted through the County's planned
9 development district process; and, as such, the County, the Agency and any redevelopment
10 partner must document what impact the proposed development has on the County's
11 infrastructure, facilities and services. The proposed redevelopment within the Community
12 Redevelopment Area is not expected to decrease levels of service below the adopted minimum
13 levels.

14 **SECTION 5.06. INTENDED USE OF PROPERTY FOR PUBLIC PARKS,**
15 **RECREATION AREAS, STREETS, PUBLIC UTILITIES AND PUBLIC IMPROVEMENTS.**

16 The Community Redevelopment Area will be redeveloped as a mixed-use community. Public
17 facilities such as parks, recreational facilities, greenways, streets, utilities, government buildings
18 and services enhance the viability of the area and as such shall be located throughout the
19 community in a manner that provides for convenient and safe access while enhancing the
20 aesthetic character of the Community Redevelopment Area. Utility lines may be placed

1 underground wherever feasible. If above ground structures such as water tanks or transformer
2 boxes must remain within the Community Redevelopment Area they should be located and
3 treated in a manner that is safe and aesthetically pleasing. In addition to the parks and open
4 spaces addressed elsewhere in this Community Redevelopment Plan, there is a forty (40) acre
5 site designated for a school board facility if deemed appropriate by the Charlotte County School
6 Board.

7 **SECTION 5.07. NEIGHBORHOOD IMPACT ELEMENT.** The Community
8 Redevelopment Act at Section 163.362(3), Florida Statutes, requires that if a Community
9 Redevelopment Area contains low or moderate income housing a neighborhood impact element
10 shall be prepared to describe the impact of the redevelopment upon the residents of the
11 redevelopment area and the surrounding areas in terms of relocation, traffic circulation,
12 environmental quality, availability of community facilities and services and the effect on school
13 population. The County and the Agency have acquired substantially all of the land within the
14 Community Redevelopment Area (this includes all residentially zoned land) in order to facilitate
15 this Master Plan. As such, there are no remaining residential uses within the Community
16 Redevelopment Area which need to be mitigated for or relocated. The Agency and this Master
17 Plan do envision, and as supported by the BLVR, a significant number of residential units which
18 will support the non-residential uses within the Community Redevelopment Area and the
19 broader community.

1 **SECTION 5.08. REPLACEMENT HOUSING; RELOCATION.** The Community
2 Redevelopment Act at Section 163.362, Florida Statutes, provides that the Community
3 Redevelopment Plan shall assure that there will be replacement housing for the relocation of
4 persons temporarily or permanently displaced from housing facilities within the Community
5 Redevelopment Area. As such, there are no remaining residential uses within the Community
6 Redevelopment Area which need to be mitigated for or relocated. The Agency and this Master
7 Plan do envision, and as supported by the BLVR, a significant number of residential units which
8 will support the non-residential uses within the Community Redevelopment Area and the
9 broader community.

10 **SECTION 5.09. DETERMINATIONS CONCERNING RESIDENTIAL AND**
11 **NON-RESIDENTIAL USES; RATIFICATION.**

12 (A) None of the lands within the Community Redevelopment Area are open lands, or
13 substantially unplatted or used for agricultural purposes. All of the lands within the Community
14 Redevelopment Area were subdivided and platted decades ago into approximately 3,000
15 residential and commercial lots, and developed, with paved, improved and dedicated streets,
16 stormwater and drainage facilities and infrastructure. Although there has been relatively little
17 vertical development within the subdivisions encompassed by the Community Redevelopment
18 Area and a substantial number of the structures including, but not limited to, subdivision
19 infrastructure, roadways and drainage swales are physically and functionally deteriorating or
20 deteriorated, the entire Community Redevelopment Area, like much of the County, was decades

1 ago committed, subjected, and sold as subdivided and developed residential and commercial lots;
2 and, the Community Redevelopment Area is not therefore fairly characterized as "open lands,"
3 as such term is used in the Community Redevelopment Act.

4 (B) This Community Redevelopment Plan does provide for residential uses within the
5 Community Redevelopment Area. Community redevelopment is expected to occur pursuant to
6 this Community Redevelopment Plan and the intent is to provide for diverse housing
7 opportunities in a variety of price ranges which may include housing affordable to residents of
8 low or moderate income. The Community Redevelopment Plan is not intended or required to
9 completely remedy a shortage of housing affordable to residents of low or moderate income
10 within the County or the immediate area.

11 (C) Non-residential uses within the mixed-use community contemplated by this
12 Community Redevelopment Plan are also necessary and appropriate to facilitate proper growth
13 and development within the County, and particularly within the Community Redevelopment
14 Area in accordance with sound planning, urban design standards and local community
15 objectives.

16 (D) By adoption of this Community Redevelopment Plan, the County and Agency
17 shall be deemed to have ratified and confirmed the determinations made in this Community
18 Redevelopment Plan and that conditions of blight in the Community Redevelopment Area
19 referenced, identified, and confirmed by this Community Redevelopment Plan contribute to an
20 increase in crime and constitute a menace to public health, safety, morals or welfare.

1 **SECTION 5.10. DURATION.** Consistent with the provisions of the Community
2 Redevelopment Act at Section 163.362(10), Florida Statutes, all redevelopment activities financed
3 by increment revenues from the Community Redevelopment Trust Fund shall occur within forty
4 (40) years after the fiscal year in which this Community Redevelopment Plan is approved or
5 adopted (2005). The duration of this Community Redevelopment Plan shall be until 2045 or as
6 deemed necessary by the Agency or as allowed by the Community Redevelopment Act.

7

1 **SECTION 6.02. METHODOLOGY AND APPROACH.**

2 (A) The analysis is based on the 2004 tax roll data as authorized in Ordinance 2005-020
3 which established the Murdock Village Trust Fund. The base year was determined using the
4 assessment role in use immediately prior to the adoption of the ordinance establishing the
5 Community Redevelopment Trust Fund. Specific increases in the tax base are shown in terms of
6 expected development and its value. This expected development is based on assumptions for
7 anticipated community redevelopment activities within the Community Redevelopment Area.
8 Any development occurring in this analysis should be considered largely conjectural because the
9 basis for such growth is speculative at the time of adoption of this Community Redevelopment
10 Plan and highly dependent upon the actual development scheme implemented pursuant to this
11 Community Redevelopment Plan. Given the nature of economic cycles and future uncertainties,
12 the analysis should be considered as a conservative estimate of tax increment over the next 12
13 years based on specific assumptions as outlined in Appendix [K].

14 (B) Pursuant to the Community Redevelopment Act, Section 163.387, Florida Statutes,
15 the maximum revenue available to the Community Redevelopment Trust Fund will be 95% of
16 the calculated tax increment.

17 **SECTION 6.03. TAX INCREMENT ANALYSIS.**

18 (A) The availability of potential tax increment revenue is among the most attractive of
19 the redevelopment tools provided in the Community Redevelopment Act. Tax increment
20 revenue becomes available as the result of focused and continuing redevelopment activities

1 within a community redevelopment area, and it may be used to fund or finance a variety of
2 community redevelopment related capital and service initiatives. Tax increment revenues, when
3 leveraged and combined by interlocal agreement with municipal service taxes or non-ad valorem
4 assessments from a community redevelopment area provide a particularly powerful tool to help
5 Florida's local governments address and redevelop slum or blighted areas.

6 (B) This analysis focuses only on tax increment revenues, not other significant revenues
7 and structural opportunities that can be leveraged, combined and deployed in concert with tax
8 increment revenues and the leveraging affects they generate. A variety of local, state and federal
9 programs might be connected to the tax increment revenues in a manner which leverages the tax
10 increment revenues or obtains other dollars for redevelopment. They potentially may be used
11 independently to service debt or they might be paired with a deliberately constructed non-ad
12 valorem assessment program that leverages the expected flow of tax increment revenues and uses
13 the tax investment revenues to offset or buy down special assessments used to finance capital
14 improvements.

15 (C) Tax increment forecasts in an area of future concentrated ownership such as the
16 Community Redevelopment Area are extremely vulnerable to imminent development,
17 (re)zoning, permitting or any other activity that might quickly change the content of the tax roll.

18 (D) The tax increment analysis in Appendix [K] provides an insight required for
19 planning purposes. This analysis should not be given any weight as a commitment or
20 requirement by the Agency to collect or expend any specific amount of tax increment or to use

*Community Redevelopment Plan
First Amendment Adopted September 27, 2005
Second Amendment October 18, 2010
Third Amendment July 11, 2017
Fourth Amendment July 13, 2021*

- 1 any tax increment revenues to fund or finance any capital or service project. It is anticipated that
- 2 the expected tax increment generated from future development will first be applied to repay the
- 3 County for the financial investment in acquiring and entitling the property.

ARTICLE VII

CAPITAL PLANNING

SECTION 7.01. DEVELOPMENT PLAN.

(A) Using contemporary planning and urban design techniques and methods a conceptual diagram and character sketches have been developed which graphically depict and are consistent with the County's and Agency's vision as expressed in this Community Redevelopment Plan, of creating a mixed-use, community for the Community Redevelopment Area. As such, there are no remaining residential uses within the Community Redevelopment Area which need to be mitigated for or relocated. The Agency and this Master Plan do envision, and as supported by the BLVR, a significant number of residential units which will support the non-residential uses within the Community Redevelopment Area and the broader community.

(B) The Development Plan was presented to the Board for consideration, input and direction to incorporate this conceptual diagram into this Community Redevelopment Plan and to use this conceptual diagram as the basis for preparing a capital plan and budget in addition to guiding future development within the Community Redevelopment Area.

(C) Central concepts represented in the conceptual diagram and character sketches are as follows:

(1) The Community Redevelopment Area will be redeveloped as a mixed-use village which may include residential, civic, commercial, office, light industrial, parks, recreational and institutional land uses that are weaved into several distinct neighborhoods;

1 (2) Opportunities should be provided to incorporate portions of the North
2 Charlotte County Regional Park, waterways and linear park elements through pedestrian
3 connections, gathering areas, landscape and view sheds into adjacent land uses;

4 (3) Residential neighborhoods, where feasible, should have access to parks
5 and recreation facilities and neighborhood services within walking distance;

6 (4) The internal access network will include streets, pedestrian facilities,
7 greenways and blueways as a mechanism to enhance neighborhood interconnectivity;

8 (5) To ensure north-south regional connectivity, Toledo Blade Boulevard, a
9 primary roadway, has been designated to function as north-south parkway and may contain up
10 to four traffic lanes, be appropriately landscaped and incorporate traffic calming features and
11 pedestrian facilities such as multi-purpose paths, bike lanes and safe crossings;

12 (6) The north-south parkways, including O'Donnell Boulevard and Flamingo
13 Boulevard, are expected to provide connections to distinct residential neighborhoods, and
14 provide access between , El Jobean Road (SR 776) and Tamiami Trail (US 41);

15 (7) To promote connectivity between neighborhoods within the Community
16 Redevelopment Area, a primary roadway has been designated to function as east-west parkway
17 as depicted on Appendix [J]; specific designs have not been developed at this time but are
18 envisioned to provide at full construction a parkway consisting of two traffic lanes, appropriate
19 landscaping, traffic calming features, pedestrian facilities and safe crossings;

1 (8) Public roads serving the Gateway District shall be maintained to provide
2 adequate access to privately held parcels and facilitate parking needs and encouraged enhanced
3 buffering between the Core and the Gateway District; and

4 (9) Wayfinding and community identification gateways may be provided at
5 major entry points into the Community Redevelopment Area.

6 (D) The Development Plan is incorporated as Appendix [J] and represents a graphical
7 depiction of the primary street network, mixed use areas, recreation facilities, public areas and
8 open space for capital budgeting purposes in addition to further articulating the vision contained
9 in this Community Redevelopment Plan. The elements shown on the conceptual diagram,
10 Appendix [J], and in the character sketches, attached hereto as Appendix [L], is an illustrative of
11 a potential community redevelopment scheme. The elements shown in the conceptual diagram
12 and character sketches may be relocated or realigned in future planning initiatives so long as
13 modifications are generally consistent with the vision articulated in this Community
14 Redevelopment Plan.

15 **SECTION 7.02. CAPITAL PROJECTS.**

16 (A) This section is intended to address the requirement in the Community
17 Redevelopment Act at Section 163.362(4), Florida Statutes, which requires identification of
18 publicly funded capital projects to be undertaken within the Community Redevelopment Area.
19 Appendix [H] provides an estimate on total private and public costs for redevelopment
20 projects/programs and capital improvements within the Community Redevelopment Area. Cost

1 projections are on-going long term programs anticipated over a ten-year period and will be
2 amended accordingly as this plan is continually updated.

3 (B) The County and Agency may enter into an Agreement with a redevelopment
4 partner which will articulate a number of infrastructure activities that the development will be
5 expected to fund, finance and deliver. Such Agreement may require that the Agency commit
6 revenues from the Community Redevelopment Trust Fund and other legally available revenues,
7 derived solely from the Community Redevelopment Area necessary to underwrite capital
8 projects within the Community Redevelopment Area.

9 (C) Consistent with the Community Redevelopment Act at Section 163.370(2), Florida
10 Statutes, tax increment revenues paid into the Community Redevelopment Trust Fund will not
11 be used to pay for or finance capital improvements constructed within three (3) years of approval
12 or adoption of this Community Redevelopment Plan which were previously approved as a part
13 of the County's 5-Year Capital Improvements Program. The County's most recently approved
14 Capital Improvement Program, FY 2010/2011 through FY 2014/2015, was adopted by the Board
15 on October 12, 2010.

16 (D) The Community Redevelopment Area capital project work plan is attached hereto
17 as Appendix [H], and does not include projects that were previously approved in the County's
18 5-Year Capital Improvement Program. The capital project work plan is subject to revisions,
19 updates and prioritization as community redevelopment implementation occurs.

1 **SECTION 7.03. PROJECTED COSTS.**

2 (A) The Community Redevelopment Act at Section 163.362(9) requires that this
3 Community Redevelopment Plan contain a detailed statement of projected costs related to the
4 redevelopment initiative, including the amount to be expended on publicly funded capital
5 projects in the Community Redevelopment Area and any indebtedness of the County or the
6 Agency proposed to be incurred for such redevelopment if the indebtedness is to be repaid with
7 revenues from the Community Redevelopment Trust Fund. To implement this Community
8 Redevelopment Plan, it will be necessary to combine both public and private sources of capital,
9 using both long and short term financing options.

10 (B) For planning purposes, the major capital components proposed within the
11 Community Redevelopment Area are classified in Appendix [H]. The Agency anticipates
12 allocating tax increment revenues to repay the County’s investment in land acquisition and
13 related costs and expenses.

14 (C) It is anticipated that the cost of major capital components in the Community
15 Redevelopment Area will be satisfied through a combination of private investment, existing and
16 future capital budget commitments, fees, fee related credits, tax increment funds generated from
17 the redevelopment construction in the Community Redevelopment Area if approved by the
18 County and the Agency, special assessments imposed by a community development district or
19 homeowners association, and possibly an additional millage levied through a municipal service
20 taxing unit if the County deems appropriate. Conceptually, the linkages among these funds or

1 resources will be articulated in an Agreement, and/or an interlocal agreement executed among a
2 private sector redevelopment partner, the County, and the Agency.

3 (D) The various costs associated with implementing the Redevelopment Plan have
4 been identified as being either primarily a public or private responsibility. Public costs are those
5 that are developed to support activities that benefit the County and/or region in some way.
6 Private costs, such as those associated with site specific, subdivision infrastructure are those that
7 enable buildings or building sites within the larger plan to be constructed in accordance with the
8 general framework.

9 (1) Those items identified as primarily public costs will be structured such that
10 private resources are committed in conjunction with or in advance of public resources. In some
11 cases, public expenditures will not be immediately required to support the Development Plan. In
12 other cases, these expenditures can be phased in accordance with the scale of the redevelopment
13 effort such that costs are advantageously matched to the expected stream of tax increment or
14 other revenues that become available.

15 (2) The road improvements identified as primarily public costs have related
16 benefits that are generally regional. In the short term, right-of-way would be dedicated by the
17 private sector for these needed road segments but the existing capacity and road sections,
18 adequate to serve the initial phases of the Development Plan, would remain largely intact until
19 demands increased.

1 (3) The North Charlotte Regional Park improvements benefit a broader
2 community. It is envisioned that several park improvements (Recreational Center and Aquatic
3 Center) will be funded by the public resources as identified in the 2012 Sales Tax initiative.
4 Additional enhancements may be constructed by the private sector redevelopment partner or as
5 outlined in an Agreement. Neighborhood parks and internal local roads are expected to be the
6 responsibility of the private sector redevelopment partner, to construct and fund as
7 neighborhood subdivision type improvements.

8 (E) The County may also consider a modest ad valorem millage levy through a
9 municipal services taxing unit within all or a part of the Community Redevelopment Area for
10 capital and/or operating costs. Any such limited and consensual ad valorem levy pledged to
11 repay any debt issuance must be structured at the outset when elector approval is easily obtained
12 by the developer.

13 (F) Contributions and Grants. Voluntary contributions by private companies,
14 foundations, governmental entities and individuals are potential sources to fund portions of the
15 redevelopment costs. The County and Agency may collaborate on grant applications to seek
16 additional funds to offset the public sector costs.

17

1 (C) Because the County is the only authority obligated to pay increment to the
2 Community Redevelopment Trust Fund, the County and the Agency may agree or otherwise take
3 such actions which result in contributing less than 95% of the increment.

4 **SECTION 8.02. SAFEGUARDS, CONTROLS, RESTRICTIONS OR**
5 **COVENANTS.**

6 (A) All redevelopment activities identified herein will not be initiated until they are
7 found to be consistent with the Comprehensive Plan and applicable land development
8 regulations.

9 (B) Issues concerning restrictions on any property acquired for community
10 redevelopment purposes and then returned to use by the private sector will be addressed on a
11 case-by-case basis to ensure that all activities necessary to perpetuate the redevelopment initiative
12 are advanced in a manner consistent with this Community Redevelopment Plan and any
13 amendment hereto. Such restrictions or controls would be expected to be in the form of covenants
14 running with any land sold or leased for private use as provided for in the Community
15 Redevelopment Act at Section 163.380(2), Florida Statutes.

16 **SECTION 8.03. CONSISTENCY WITH COUNTY COMPREHENSIVE PLAN.**

17 (A) Florida Statutes require that the Community Redevelopment Plan be consistent
18 with the County's Comprehensive Plan. The Community Redevelopment Plan as amended
19 articulates the vision for the Community Redevelopment Area as a mixed-use community that
20 provides a high quality of land uses in a manner that promotes redevelopment and is consistent

1 with the Charlotte County Comprehensive Plan. The initial Community Redevelopment Plan
2 was found consistent on January 18, 2005. Concurrently, the Board adopted Ordinance 2005-009
3 establishing the Murdock Village Mixed Use Redevelopment District land use designation in the
4 Charlotte County Comprehensive Plan. The land use designation was amended in January 2008
5 to include the use of an Equivalency Matrix. In 2010, as part of a general revision to the
6 Comprehensive Plan, it was renamed the Murdock Village Mixed Use land use designation. On
7 December 16, 2016, and again on June 13, 2017 the land use designation was revised to clarify
8 the respective land uses allowed within Murdock Village, remove reference to the Town Center,
9 and increase flexibility in design standards.

10 (B) The Comprehensive Plan may be amended in the future to reflect the changing
11 conditions. Future amendments may include:

12 (1) Identifying the Business Research and Technology Park (BRT) as a land
13 use within the Murdock Village CRA and the expansion/clarification of uses allowed in the BRT.

14 (2) Deletion of the Equivalency Matrix currently included in the
15 Comprehensive Plan. The Equivalency Matrix is no longer necessary with the changes in State
16 law.

17

1 **SECTION 8.04. CONCLUSION.**

2 This Community Redevelopment Plan provides a framework for clearance, rehabilitation,
3 conservation and redevelopment of the Community Redevelopment Area as an attractive,
4 inviting, easily accessible and economically successful mixed-use village that promotes a positive
5 image and identity for the entire County community. This Community Redevelopment Plan
6 deliberately and reasonably addresses the blighted area conditions observed and finding of
7 necessity determinations made, ratified, and confirmed by the Board. To realize the
8 redevelopment vision of this Community Redevelopment Plan, community leaders, business
9 persons and residents alike are encouraged to support the redevelopment objectives and continue
10 to do so over time and changing administrations so that the vision is successfully implemented
11 and transcends into reality.