

# Chapter 1, Future Land Use Element

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## **Executive Summary**

The Future Land Use Element (FLUE), which contains the Existing Land Use Map (ELUM) and the Future Land Use Map (FLUM), is the centerpiece of any local government comprehensive plan. It contains an inventory of Charlotte County's lands; a detailed discussion of population and demographic data and trends, including population projections that will drive the remaining components of the comprehensive plan; an analysis of land use and demographic data, and a discussion of the County's future and how we intend to get there.

For planning purposes, Charlotte County is divided into four districts, which are West County, Mid County, South County, and East County. Each of these districts has unique attributes. About fifty percent of the county's population lives in Mid County. Much of the land in this portion of the county remains vacant, but platted. The predominant existing land uses are residential and commercial. Publicly owned sites, utility facilities, and recreational areas comprise most of the remaining existing land uses. Approximately 63% of Mid County lots and parcels are vacant or undeveloped. Commercial land uses are concentrated along the major roadways, especially the busy U.S. 41 corridor. Industrial land uses are located in the Murdock, Charlotte Harbor and South Punta Gorda areas. Additional industrial sites are needed, but the pre-platting of the community has limited suitable locations. Future industrial sites should be located with access to major transportation corridors such as Interstate 75.

Most development in West County has taken place in the western half of the Cape Haze peninsula and near salt water. The predominant existing uses are similar to those in Mid County. Approximately 76% of West County lots and parcels are vacant or undeveloped. Commercial land uses are located along the major roads of S.R. 776 and C.R. 775. This development pattern mirrors the early stages of U.S. 41 development. Industrial sites are limited, and park, recreation, and refuge lands can be found in relative abundance.

South County includes the only municipality - the City of Punta Gorda - several rural communities such as Cleveland and Solana. The southern one-third of South County is primarily rural and consists of agricultural lands. The remainder of South County is urbanized.

The existing land use classifications in East County are primarily agricultural, extractive industry or refuge with the first two land use classifications representing the primary economic segments of this rural area. In 2005, the Board of County Commissioners approved the 13, 686 acre Babcock Ranch planned community as part of the State's acquisition of the balance of the ranch (approximately 72,000 acres) for conservation.

Approximately three-fourths of the combined areas of West, Mid, and South Counties are vacant. Most of West and Mid County's land mass has been subdivided into 75,690 and 104,062 lots, respectively, and thus there is little vacant *and* undeveloped (raw) land available. Of these lots and parcels, 52,389 (West) and 60,382 (Mid) are vacant.

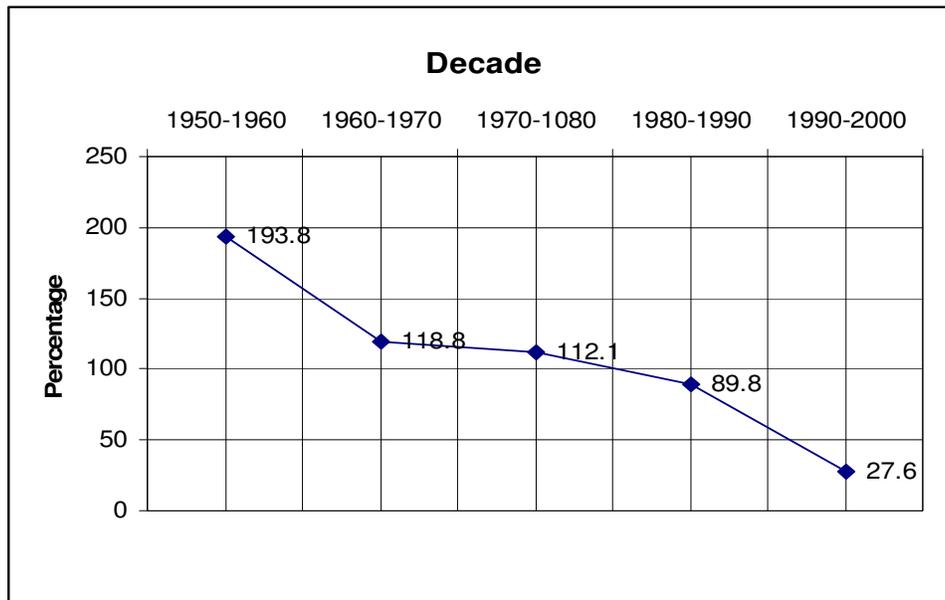
Charlotte County like most of southwest Florida has experienced explosive population growth during the past fifty (50) years - almost doubling its population per decade. Data from the 2000 Census indicates the County's growth rate has moderated with an increase of 27.6% (Table 1.1).

When compared to the previous half century of rapid growth this increase in population is actually a 75%± decline in long-term growth trend (Chart 1.1)

Table 1.1 Population Growth by Decade										
DECADE						Percentage Change				
						1950-	1960-	1970-	1980-	1990-
1950	1960	1970	1980	1990	2000	1960	1970	1980	1990	2000
4,286	12,594	27,559	58,460	110,975	141,627	194	118.8	112.1	89.8	27.6

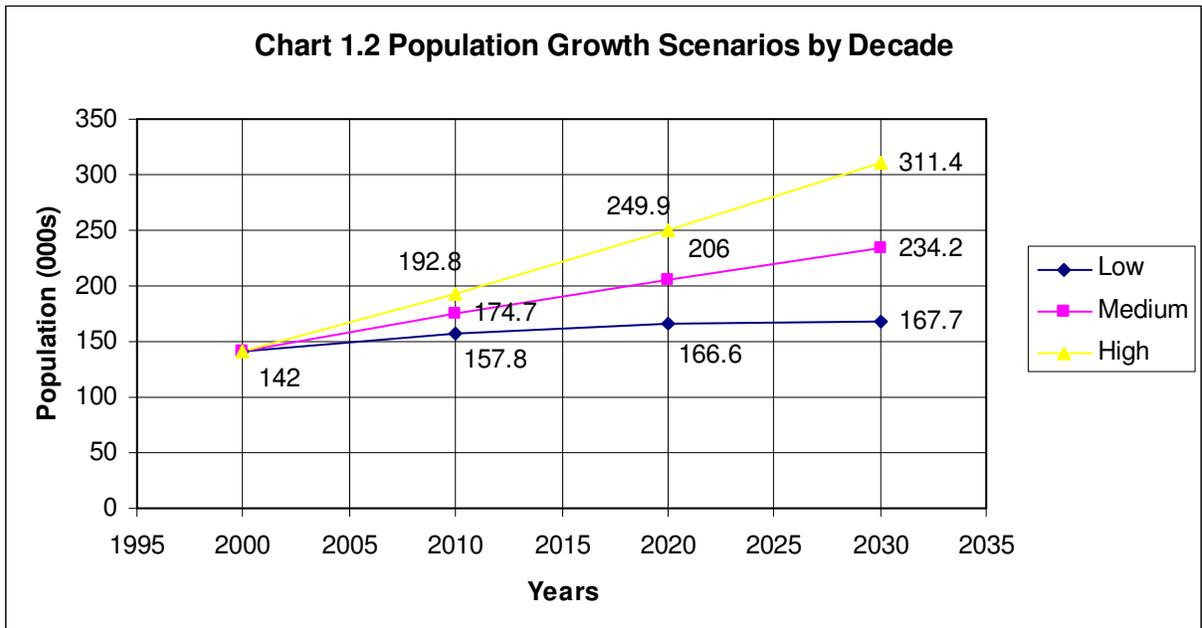
Source: University of Florida, Bureau of Economic and Business Research, Florida Statistical Abstract 2004. Census data from U.S Bureau of Census.

**Chart 1.1 Percentage of Population Growth by Decade**

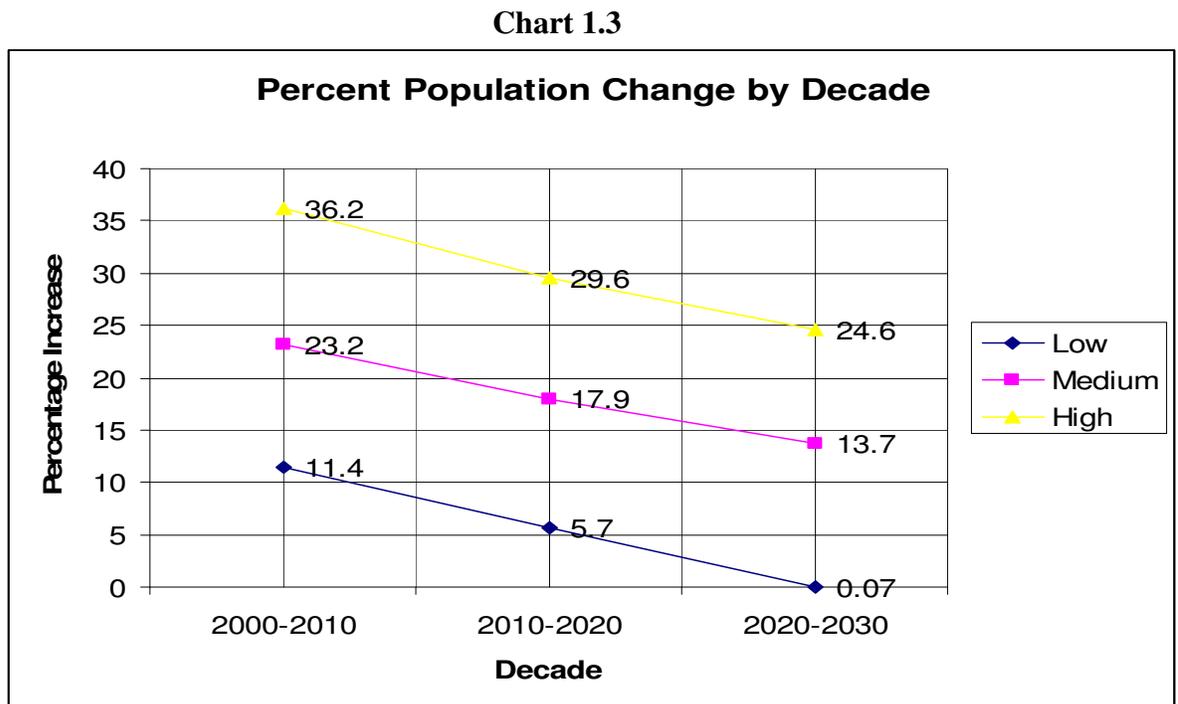


Source: University of Florida, Bureau of Economic and Business Research, Florida Statistical Abstract 2004. Census data from U.S Bureau of Census.

The Bureau of Economic and Business Research (BEBR) has provided three growth scenarios (Low, Medium and High) for Charlotte County over the next three decades (Chart 1.2). These projections indicate the County will continue to experience growth in the ensuing decades but at an overall decreasing rate (Chart 1.3).



Source: University of Florida, Bureau of Economic and Business Research, Florida Statistical Abstract 2004. Census data from U.S Bureau of Census.



Source: University of Florida, Bureau of Economic and Business Research, Florida Statistical Abstract 2004. Census data from U.S Bureau of Census.

Development in the county has generally followed potable water lines or the availability of a potable water supply. This has resulted in scattered, low density, low intensity development; higher development intensities occur in those areas served by central sanitary sewer service. A

key to managing new growth and development in the county is to ensure the availability of utility service capacity prior to development approval. The areas designated for commercial and industrial development will need to have central potable water and sanitary sewer service.

There are no absolute solutions for the problems associated with the premature platting and sales of land. If the original developers go bankrupt, local governments, taxpayers, and ratepayers are left with the bill. Must they honor the obligations made by the original developer? Can a local government simply turn its back upon those customers? There are no easy answers to these questions, which have legal, political, and economic implications. Although there are no outright solutions, there are some remedies to the platted land challenge. The County will consider all of these options: 1) Direct purchase of platted lots; 2) Direct acquisition of targeted lands; 3) Direct purchase with assistance from the State of Florida; 4) New zoning categories; 5) Create an organization to handle consolidation and deplatting; 6) Administrative deplatting; 7) Graduated impact fees; 8) Tax deed acquisition; and 9) Urban service area strategy.

In Florida, *growth management* casts a broad net indeed, aiming to protect natural resources, to provide recreational opportunities, and to foster a healthy economic environment. Most importantly, growth management seeks to safeguard the quality of life enjoyed by residents and visitors, assuring that they are not overwhelmed by the demands of new residents and businesses. The mechanical aspects of growth management involve directing the timing, location, and intensity of growth, which is accomplished through the planning and regulation of a county or municipal jurisdiction. A sound growth management strategy will ensure that infrastructure and services are provided in the most efficient manner at the least cost to the community. Public and private providers can deliver better quality products serving the greatest number of people when development is concentrated within and near urban cores. The growth management strategy incorporated in this comprehensive plan is developed and will be implemented with Florida's urban sprawl rule in mind.

This comprehensive plan employs the following techniques to manage growth: 1) Urban service area strategy linked to public improvements; 2) Public land acquisition and management; 3) Environmental controls; 4) Transfer of density units; 5) Tax and fee systems; 6) Land and Development Regulations; and 7) Special districts.

## **I. Introduction**

### **A. Purpose of the element**

The Future Land Use Element (FLUE) is the centerpiece of the comprehensive plan because it coordinates the central themes and information found in all of the plan's elements. The purpose of the Future Land Use Element is to define areas within Charlotte County that are suitable for various land use activities during the planning timeframe of the comprehensive plan. Land use activities include the characteristics, intensities, and densities of identified allowable uses. Guided by the Capital Improvements Element (CIE) the FLUE also identifies the timing in which development may occur. It is guided by adopted goals, objectives, and policies and a Future Land Use Map, both of which are regulatory and prescriptive tools.

### **B. Relationship of this element to the comprehensive plan**

The Future Land Use Element decrees where, when, and at what intensity development will occur, thereby indicating where infrastructure and services are needed. The Infrastructure Element includes potable water and sanitary sewer services, solid waste collection, stormwater management facilities, and areas of prime aquifer recharge. Although commonly thought of as infrastructure, transportation services are defined in the Transportation Element which ensures that certain types of roads and other transportation services are available to serve designated land uses. The Natural Resources and Coastal Planning Element has a strong tie to the Future Land Use Element in that it provides the underlying foundation for conservation and protection of our natural resources. The Future Land Use Element is also linked to the Natural Resources and Coastal Planning Element in regards to the coastal area and protection of residents who make their home in hurricane vulnerability zones.

The Housing Element identifies the types and numbers of housing units necessary to support the existing and future populations. This element must ensure that sufficient land is available to provide for housing and employment opportunities for the residents. The Future Land Use Element incorporates a growth management strategy that is implemented through the Capital Improvements Element. The primary growth management tool is an urban service area strategy that uses public infrastructure and services as a means for directing the timing, location, and intensity of development. The Community Facilities and Services Element identify many of the publicly provided services that make up a portion of the urban service area strategy.

The Historic Preservation Element briefly reviews Charlotte County's past and identifies many of the historically significant locations that must receive consideration as the community develops. The Recreation and Open Space Element identifies the county's existing and future recreational needs. The location of future recreational areas should be in those areas where the most people can utilize the facilities - the Future Land Use Element identifies those general areas. Finally, the Intergovernmental Coordination Element recognizes that Charlotte County is not alone when it comes to designating areas for development. Other jurisdictions, such as the county school board and neighboring governments, play a small role in land use decisions.

## II. Legislation and its influence on this element

### A. State legislation

In 1972, the Florida Legislature adopted four statutes affecting planning and environmental policy. Most notable was the Environmental Land and Water Management Act (Chapter 380, *Florida Statutes*) in which Florida Chapter 380 also authorized the creation of "Areas of Critical State Concern" wherein the State of Florida could effectively pre-empt land use regulations in places where local government efforts were found wanting. In 1975, the Legislature adopted the Local Government Comprehensive Planning Act (LGCPA), requiring all of Florida's counties and municipalities to adopt comprehensive plans to guide future development. The 1975 LGCPA did not require the adoption of a Future Land Use Map, and it did not mandate a capital improvements program. The LGCPA provided for state and regional review of local government comprehensive plans, though it did not provide authority to challenge plans adopted by local governing bodies.

In 1985, the Legislature of Florida adopted the State Comprehensive Plan (Chapter 187) and the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Part II, Florida Statutes), better known as the "Growth Management Act", which amended the 1975 LGCPA by requiring a Future Land Use Map, and by tying capital spending to a five-year capital improvement element. The rules governing the minimum contents of a local government comprehensive plan - Rule 9J-5 (Florida Administrative Code) - were promulgated by the Department of Community Affairs in 1986. Although Charlotte County had adopted comprehensive plans in the past - beginning with a "701" plan in 1966 - the 1988 comprehensive plan was Charlotte County's first plan that attempted to meet the standards of the Growth Management Act and of Rule 9J-5.

In 1989, the Florida Department of Community Affairs (DCA) challenged the Charlotte County Comprehensive Plan and Charlotte County entered into a stipulated agreement with DCA in which Charlotte County agreed to amend the comprehensive plan to discourage urban sprawl. Charlotte County was finally found to be in compliance by the Governor and Cabinet in May 1994.

Additional state legislation affecting this element, and the complete comprehensive plan, are Chapters 9J-2 and 28-24 pertaining to Developments of Regional Impact, Chapter 9J-11 pertaining to comprehensive plan amendments, and Chapter 9J-33 pertaining to transmittal of Evaluation and Appraisal Reports. Each of these chapters is located in the Florida Administrative Code.

In 1995, the Florida Legislature enacted the *Bert J. Harris, Jr., Private Property Rights Protection Act*. This act creates a new circuit court cause of action for private real property owners whose existing uses or vested rights relative to real property have been "inordinately burdened" by an action of government. The Harris Act may severely limit local, regional, and state government actions regarding land uses of private property owners or may require compensation for such actions.

From 1998 to 2004, there have been 65 amendments to Chapter 163 F.S. While not all of the amendments applied to the County's comprehensive plan, there were amendments that did apply. Such changes as the requirement of a capital improvements and public schools elements; changes in the requirements of evaluation and appraisal reports; school siting and interlocal agreements with school board requirements; agricultural lands and practices; and coordination of regional water supply plan with the comprehensive plan have been incorporated into the County's comprehensive plan, the EAR process and the EAR based plan amendments.

Furthermore, there were 34 changes to Rule 9J-5 and 9J-11, F.A.C. from 1998 to 2004. Applicable changes to the requirements of the Public School Facilities, Housing, Transportation and Intergovernmental Coordination Elements are reflective in the various elements of the County's Comprehensive Plan.

During 2005 there were 11 bills enacted by the Florida Legislature that affected Growth Management – six Senate Bills (SB 332, 360, 444, 620 724 and 908) and five House Bills (HB 517, 955, 989, 1029 and 1045). The County's EAR-based Comprehensive Plan amendments reflect the changes required by SB 360 (Infrastructure Planning and Funding), 444 (Development of Water Supplies), HB 955 (Waterfront Property) and HB 989 (Public Marinas and Boat Ramps).

## **B. Regional planning**

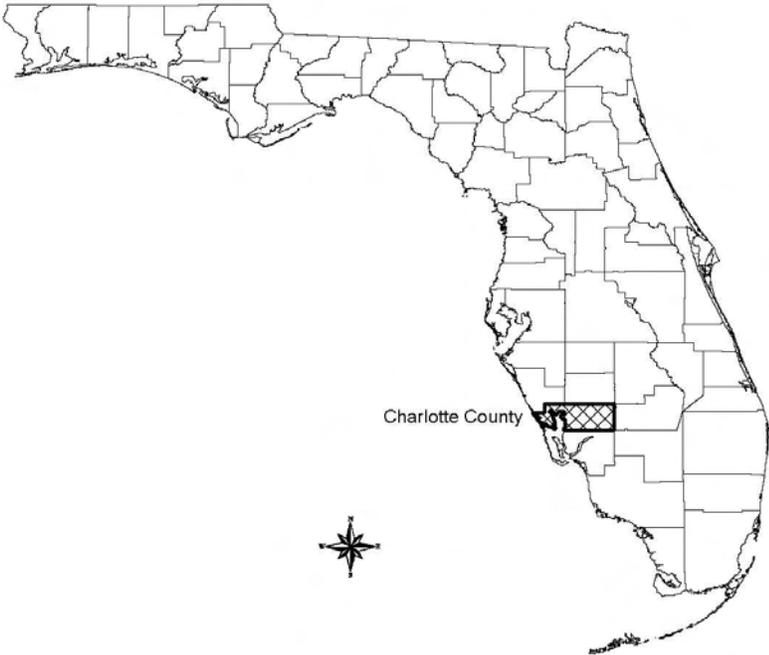
In addition to the State Comprehensive Plan, the Charlotte County Comprehensive Plan must be consistent with the Strategic Regional Policy Plan of the Southwest Florida Planning Council (SWFRPC). The SWFRPC, of which Charlotte County is a member, developed and adopted a new Strategic Regional Policy Plan in April 2002. That plan provides policy direction regarding natural, human, and economic systems, as well as urban and rural settings.

### **III. Inventory and Analysis**

#### **A. Description of Charlotte County**

Charlotte County is located next to the Gulf of Mexico along the southwest Florida coast. The county is composed of 693.7 square miles of land area and approximately 129 square miles of water area, most of which is Charlotte Harbor and its tributaries. Bordering jurisdictions include: the City of North Port, and Sarasota and DeSoto Counties to the north; Highlands County to the northeast; Glades County to the east; Hendry County to the southeast; and Lee County to the south. The map below (Map 1.1) displays Charlotte County's location relative to the State of Florida.

Map 1.1 Counties of Florida



On April 23, 1921, Governor Cary A. Hardee signed a bill into law creating the County of Charlotte. Prior to this action, DeSoto County had included the present day counties of Charlotte, Hardee, Highlands, Glades, and DeSoto. From the beginning, the City of Punta Gorda has been the county seat. Today, Charlotte is a charter county.

Charlotte County has a humid, subtropical climate. The annual average temperature is 74.8 degrees with averages ranging between 64 degrees in January and 81.6 degrees in July. The county averages 49.53 inches of rainfall per year. Approximately two-thirds of that occurs during the summer months between June and September - the summer months are referred to as the "wet season" (*Charlotte County "Statistical Prospectus", 1994-1995 Edition*. Bob Carpenter, Charlotte County Chamber of Commerce, Inc.). Like other coastal communities in Florida, Charlotte County is relatively low lying. Elevations range from zero feet at sea level to approximately seventy-five feet in the northeastern section. Of Florida's 67 counties, Charlotte ranks 29th in geographical size and 26th in population. The county is eighteen miles in length from north to south, yet has approximately 120 miles of coastline.

## **B. Planning Districts**

For planning purposes, Charlotte County is divided into four districts, which are West County, Mid County, South County, and East County. Each of these districts has unique attributes that characterize them. The map below (Map 1.2) identifies the four planning districts.

*West County* includes the entire Cape Haze peninsula west of the Myakka River. It includes the communities of Gulf Cove, South Gulf Cove, Englewood, East Englewood, Rotonda West, Grove City, Cape Haze, and Placida, as well as the barrier island chain of Gasparilla, Little Gasparilla, Don Pedro, Knight, and Palm Islands and Manasota Key.

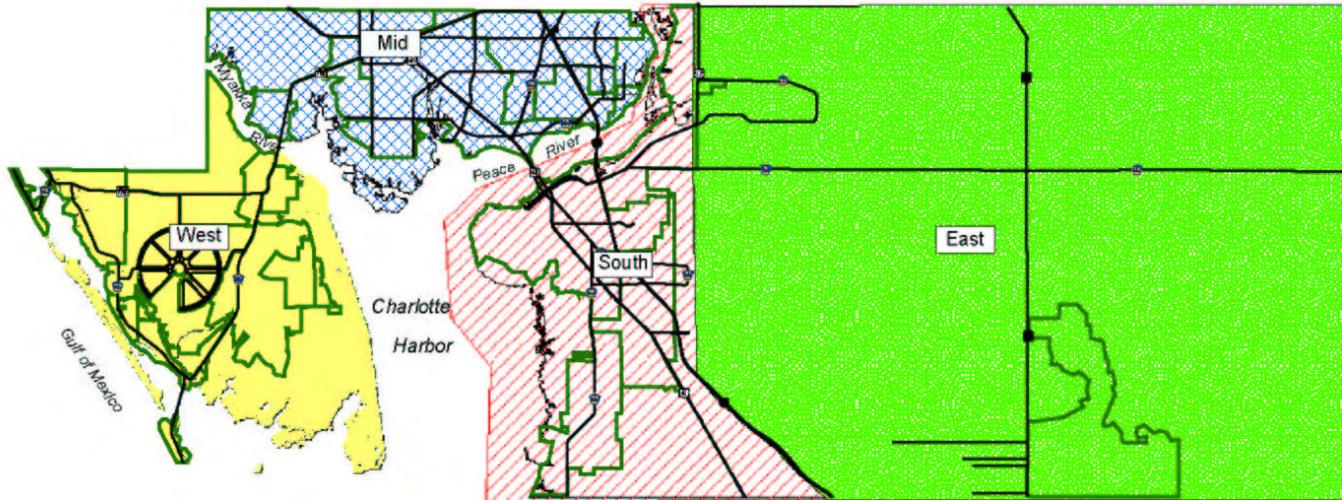
*Mid County* is situated between the Myakka River to the west and the Peace River to the east. To the south, where the two rivers converge, is Charlotte Harbor. Mid County includes the communities of Deep Creek, Harbour Heights, Charlotte Harbor, Port Charlotte, El Jobean, Riverwood, and Northwest Charlotte.

*South County* is located to the south and east of the Peace River. It is comprised of the City of Punta Gorda, Charlotte County's only incorporated municipality, and the communities of Tropical Gulf Acres, Solana, Cleveland, Burnt Store Meadows, South Punta Gorda Heights, Pirate Harbor, Ridge Harbor, and Peace River Shores.

Rural *East County* is the land east of range line 23E/24E and Interstate 75 in southern Charlotte County. Interstate 75 bisects nine of the one-square mile sections in Range 24 East; for purposes of analysis in the comprehensive plan; those sections are classified within South County lands.

As indicated above, each of the four planning districts is made up of several communities. Some of those communities have official names, such as Port Charlotte, a subdivision. Others have unofficial names such as South Gulf Cove, which is part of the Port Charlotte subdivision. These communities are depicted on the "Charlotte County Places Map" (Map 1.1).

## Map 1.2 Charlotte County's Four Planning Districts



Charlotte County Community Development  
Land Information Section - MLH  
Draft Date: 10-04-2006  
Located: gig\comp\_plan\_NEW\Chapter\_1\1\_2\_planning\_districts.mxd  
ArcMap Version 9

Stateplane Projection  
Datum NAD83  
Units: meters  
  
Source: Charlotte County GIS

 **Urban Service Area Overlay**



Scale 1:333,000  
1 inch = 5.25 miles

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise as to its use. This is not a survey or is it to be used for design.

**Map 1.3 Charlotte County Places**



<p>Charlotte County Community Development Land Information Section - MLH Draft Date: 10-12-2006 Located: g:\g6\Comp_Plan_NEWA Maps\Chapter_1\1_3_CharlottePlaces.mxd ArcMap Version 9</p>	<p>Stateplane Projection Datum NAD83 Units: meters  Source: Charlotte County GIS</p>	<p> Urban Service Area Overlay</p>	<p>  Scale 1:205,000 1 inch = 3 miles</p>	<p>This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.</p>
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### **C. Community and Area Plans**

Charlotte County has only one municipality - the City of Punta Gorda; however, the County has a host of geographic entities, which may be called "subdivisions", "settlements", "villages", "neighborhoods", or "communities". They are not cities or towns in any official sense, but they have evolved their own identities. Residents of places such as Deep Creek, South Gulf Cove, and Rotonda may identify with their neighborhoods (communities) more than they do with Charlotte County.

In support of the various communities, Charlotte County has instituted a community-neighborhood planning program.

Community Planning often begins because of interested parties (stakeholders) getting together to discuss their community. Frequently the discussions are motivated by issues and concerns, but may sometimes include pro-active thoughts such as maintaining or enhancing the existing situation for the benefit of current and future residents. Civic Associations and Homeowner groups are often the stakeholders that bring the initial request for a Community Planning effort to the County. The direction and scope of the Community Plan is dependent upon the unique community for which it is being developed.

The County has completed community plans for Placida, South Gulf Cove, and Manasota and Sandpiper Key and each Plan is in different stages of goal implementation. In 2004, the County collaborated with a number of property owners and prepared the 22,370-acre Burnt Store Area Plan, (which is similar to a "sector plan"). In 2005, the County adopted the Babcock Ranch Overlay District and subsequently in 2006 the County adopted the Babcock Ranch Overlay Zone which established a 17,600+ acre mixed use planned community and the implementing Land Development Regulations.

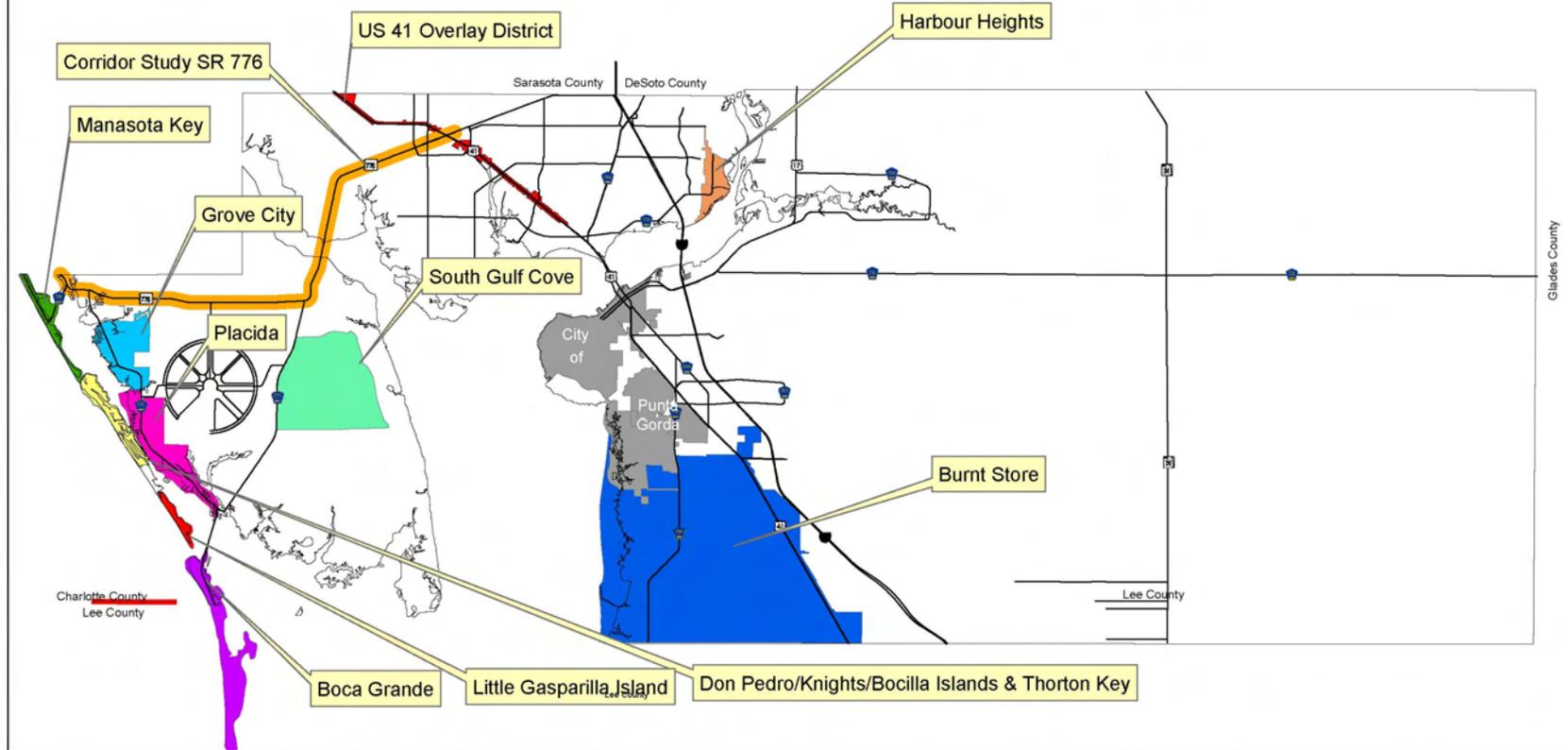
In addition to the community-neighborhood planning effort, the County has also undertaken a number studies which focuses on area specific issues. The SR 776 Corridor Study and the US 41 Overlay district are roadway plans that incorporate many planning principles (e.g. land use compatibility, sign and architectural design standards, housing, etc.). These Plans are complete and are undergoing implementation (Map 1.4).

Community plans that are underway are as follows:

Boca Grande Community Plan has been drafted and submitted to various governmental agencies for review and acceptance. It is anticipated that the plan will be accepted by the Charlotte County Board of County Commissioners by the end of 2006.

Don Pedro, Little Gasparilla, Harbour Heights and Grove City are at various stages in their community planning efforts. It is likely that upon their completion Charlotte County will be involved in their implementation.

## Map 1.4 Charlotte County Community & Area Plans



<p>Charlotte County Community Development Land Information Section Draft Date: 10-06 Located: gig6\Comp_Plan_NEWMAPS\ Chapter_1\1_4_community_planning_Areas.mxd ArcMap Version 9</p>	<p>Stateplane Projection Datum NAD83 Units meters  Source: Charlotte County GIS Department Community Development</p>		<p> Scale: 1:190,280 1 inch = 3 miles</p>	<p>This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.</p>
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A Community Planning webpage has been created and may be accessed via the main Charlotte County webpage: [www.charlottecountyfl.com](http://www.charlottecountyfl.com). Further, each of the community planning areas and projects has their own web pages. The individual web pages provide more information on the planning effort.

The following provides a summary of the community plans; a link to the webpage for each of the community plans is also provided.

### **Burnt Store Area Plan**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/BurntStore/>

The Burnt Store planning area encompasses approximately 22,370 acres bounded by Tucker's Grade to the north, US 41 to the east, the Lee County line to the south, and Charlotte Harbor to the west.

The Burnt Store Area Plan provides for improvements to transportation, utilities, environmental linkages, and water management, as well as for a coordinated approach to land development. Specifically the plan proposes to create the "Burnt Store Overlay District" by providing policies to amend the text and maps of the 1997-2010 Charlotte County Comprehensive Plan. This plan also amended the existing Urban Service Area Boundary. The Burnt Store Area Plan was adopted on November 15<sup>th</sup>, 2005.

### **Placida Community Plan**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/Placida/>

The Placida Planning Area makes up the southwestern portion of the Cape Haze Peninsula. The Cape Haze Area bounds the property to the north, C.R. 771 to the east, Placida Harbor to the west, and Lemon Bay to the south.

The two major issues that mobilized the property owners to engage in community planning were the proposed need for height limitations for new coastal development and the safety and aesthetic issues caused by the overflow parking at the Placida Boat Ramp. Some of the priority issues for this community are as follows:

1. How to incorporate regulations that will limit height and encourage development compatible with the desired community character without violating property rights.
2. How to optimize community assets, such as the community's entrances along C.R. 771 and C.R. 775, the numerous marine orientated properties, the proposed bike path, and the access to the surrounding public lands.
3. How to preserve and enhance the low intensity character of the area.

### **South Gulf Cove Community Plan**

[http://www.charlottecountyfl.com/Adv\\_Committees/SGC/](http://www.charlottecountyfl.com/Adv_Committees/SGC/)

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/SouthGulfCove/>

The South Gulf Cove Planning Area is a 13,500± lot pre-platted community that makes up the northeastern portion of the Cape Haze Peninsula. The Butterford Waterway bounds the property

to the north, the interceptor lagoon to the east, C.R. 771 to the west, and the Santa Cruz Waterway to the south.

The County's expansion of water and sewer lines within the South Gulf Cove Planning Area accelerated development within the community. Recognizing that build-out of the community's pre-platted lots would significantly alter the character and population (approximate 33,000 persons) the residents undertook the development of a community plan. Visioning sessions and community member surveys were instrumental in creating a summary vision of the how the community wished to see itself develop over the long-term.

The community places an emphasis on density reduction to accomplish the following overarching goals:

1. Provision of park and recreation areas.
2. Provision of open space.
3. Protection of surface water quality.
4. Reduction of direct access to the major roadways.

### **Manasota and Sandpiper Key**

[http://www.charlottecountyfl.com/Adv\\_Committees/Manasota/](http://www.charlottecountyfl.com/Adv_Committees/Manasota/)

This planning area includes the Charlotte County portion of Manasota Key and the entirety of Sandpiper Key. The islands are situated south of the Sarasota county line, west of the Tom Adams Bridge, north of Stump Pass Beach Park and east of the Gulf of Mexico. Manasota Key contains a significant percentage of the County's waterfront property.

In recent years, Sarasota, Lee, and Charlotte Counties have experienced accelerated development of their prime waterfront areas. Development of Manasota and Sandpiper Keys has brought about significant changes in the character and intensity of land uses. The redevelopment of residential single-family areas into condominiums and the conversion of neighborhood commercial areas into hotels. This development pattern in conjunction with the early platting of these barrier islands has led to significant traffic circulation, drainage, sewer/water supply and public access (gulf beaches and Lemon Bay) issues.

With these concerns a group of Manasota Key and Sandpiper Key residents with. Charlotte County staff and a consultant team developed a Plan to guide future development on the islands. As a result, the planning area has been down zoned; barrier island development standards have been adopted; certain commercial uses eliminated and water access has been improved.

### **Harbor Heights**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/HarbourHeights/>

The Harbour Heights community is roughly bounded by I-75 to the west, the Peace River (Bay Harbor) to the east, Deep Creek Blvd. to the north, and Peace River Drive to the South.

Harbour Heights planning area provides an opportunity to create a successful, attractive, vibrant community with diverse opportunities for business, pleasure, and recreation. Area residents and property owners have indicated several key priorities that include: the provision of quality

commercial development (over 100 contiguous acres-centrally located); the protection and enhancement of natural areas and native wildlife; and the development and focus on community identity-without becoming a deed-restricted community.

Several community-visioning workshops were held in the fall of 2005. The Harbor Heights' community plan should be before the Board of County Commissioners for acceptance in 2007.

### **Boca Grande**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/BocaGrande/>

The Boca Grande community planning effort addresses concerns covering both the Lee County and Charlotte County portions of the community. Boca Grande is comprised of Gasparilla Island, Boca Grande Isles, the Gasparilla Golf Course Island, Three Sisters Island, Hoagen's Key, Loomis Island, Cole Island, and the Gasparilla Island bridge and causeway lands.

Off island population, growth in the adjacent areas of Charlotte and Sarasota Counties is anticipated to increase the number of visitors to Boca Grande straining public facilities and infrastructure. Many residents of Boca Grande have expressed concern with regard to maintaining the existing "village" feels to their community. Of particular concern is the maintenance of community integrity, through specific redevelopment (Boca Grande has very little capacity for new development) standards, policies for sound environmental policy, and the need to safeguard all community assets and infrastructure from possible population surges and fluctuations in and around the Boca Grande community.

The proposed Boca Grande plan was prepared under a community planning matching grant program from Lee County and was adopted in by Lee County in 2005. Charlotte County has yet to adopt the Plan.

### **Don Pedro Island, Knight Island and Thornton Key**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/PalmIslandDonPedro/>  
[http://www.charlottecountyfl.com/Adv\\_Committees/PalmIsland/](http://www.charlottecountyfl.com/Adv_Committees/PalmIsland/)

Off the mainland in Charlotte County, lies a tiny series of interconnected bridgeless barrier islands. The area for this community plan is the Charlotte County portion of the bridgeless barrier islands, including Don Pedro Island, Knight Island, Palm Island and Thornton Key. The southern boundary of the project area is the Don Pedro Island State Park and the northern boundary is Stump Pass.

The bridgeless barrier islands have experienced the development and growth that has occurred in Charlotte County. In addition to dozens of new homes springing up island-wide, development on the Cape Haze peninsula is bringing more and more day visitors to the island's beaches. This is straining the infrastructure and the fragile natural resources. The residents of the community determined that it was essential to look to the future through completion of a comprehensive community plan. The purpose of the community plan is to cooperatively identify issues, and developed community recommendations, to support maintaining the natural beauty and quality of life on the islands.

An appointed Community Advisory Group and County staff have prepared a draft plan; the Plan will be presented to Board of County Commissioners in 2007.

### **Little Gasparilla Island**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/LittleGasparilla/>  
[http://www.charlottecountyfl.com/Adv\\_Committees/LittleGasparilla/](http://www.charlottecountyfl.com/Adv_Committees/LittleGasparilla/)

The Little Gasparilla Island community is one of three barrier islands linked with Don Pedro and Palm Island. Little Gasparilla Island lies furthest south of the chain and borders Gasparilla Pass.

Little Gasparilla Island has unique development potential and challenges. Access to the island is only available by boat or other watercraft. Development is limited to residential uses and must adhere to the sanctions of the Bridgeless Barrier Overlay District. Community issues include, off-island parking needs, the County's provision of services to the island, the protection of private property rights, and the protection and enhancement of the islands unique natural/environmental resources.

It is anticipated that the community plan for Little Gasparilla Island will be presented to BCC in 2007.

### **Grove City**

[http://www.charlottecountyfl.com/Adv\\_Committees/LittleGasparilla/](http://www.charlottecountyfl.com/Adv_Committees/LittleGasparilla/)

The Grove City planning area is defined as the area that is bound by Oyster Creek to the north, Winchester Boulevard to the east, Buck Creek to the south, and Lemon bay to the west.

Community issues include the lack of architectural and horticultural beauty along this main street, and the appropriate redevelopment of the diverse mixture of land uses and recreational opportunities within the boundaries of this planning area.

A preliminary "draft" plan is projected to be ready by June 2007.

### **State Road 776 Corridor Study**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/776/>  
[http://www.charlottecountyfl.com/Adv\\_Committees/CAG/](http://www.charlottecountyfl.com/Adv_Committees/CAG/)

The S.R. 776 Corridor Study addresses development issues spanning the 16 miles length of SR 776 from its intersection with US 41 in Charlotte County to the Sarasota County line in the Englewood area. These issues include; enhancing the distinct divisions in the character of development, natural features, and volume of traffic along the corridor; providing for more consistent directional signage; developing landscape standards to improve corridor aesthetics; improving flow of vehicular and non-vehicular traffic; and the implementing commercial design standards.

The SR 776 Corridor Study provides a list of short, mid, and long-term strategies that address the aforementioned issues. Designating SR 776 as a "Scenic Highway" and creating a long-term

plan for the development of commercial nodes (rather than “strip commercial”) are among the initial priorities.

The first action item to be addressed is that of “applying for Scenic Highway designation”. This is an approximately 18-month process.

### **U.S. 41 Overlay District**

<http://www.charlottecountyfl.com/CommunityDevelopment/PlanningZoning/776/>

The U.S. 41 Overlay is to promote development and redevelopment of commercial uses along the U.S. 41 commercial corridor, and ensure a favorable impression of the overall appearance of the corridor and the functional operation of the thoroughfare. The Overlay applies to the west side of US 41 from the Sarasota County Line to Gardner Drive and the east side of US 41 from the Sarasota County Line to Hancock Avenue.

The U.S. 41 corridor has unique characteristics that were considered in the development of the Overlay. Some front lots are served by an access road and some are not. In many areas, the front lots are commercial uses and rear lots are residential uses within the same block. The Overlay will give business owners along sections of the corridor the opportunity to increase their building’s square footage by allowing a front yard setback of zero, an elimination of the on-site customer parking requirement, and expansion to the rear lot to increase the depth of their property.

The Board adopted the initial Overlay Code in November 2004. Staff added some language to this Overlay, which was also adopted in November 2004, to reflect BCC’s direction to increase the depth of the commercial corridor. Small-scale amendments to the Comprehensive Plan, from Commercial Corridor and Low Density Residential to U.S. 41 Overlay Mixed Use were completed. Residential zoned lots were rezoned to Commercial General in order to help implement the U.S. 41 Beautification project. The properties for these petitions are located on west side of U.S 41 from West Tarpon Boulevard to Elkcarn Boulevard within the Overlay.

In May 2005, BCC approved the revision of U.S. 41 Zoning District Overlay, three small-scale plan amendments and one rezoning.

### **Murdock Village**

<http://www.charlottecountyfl.com/MurdockVillage/>

The Murdock Village Redevelopment initiative is a project comprised of about 1,300 acres of platted residential lots. The general boundaries of the area are SR 776 on the south, Orchard Street and the Crestwood Waterway on the west, U.S. 41 on the north and Collingswood Boulevard on the east. The redevelopment initiative is focused on addressing many of the undesirable results of the platting of the area.

In 2005, the Murdock Village Community Redevelopment Plan (CRP) was adopted. The objective of the CRP is to encourage a high-tech, energy efficient and environmentally friendly mix of residential, retail commercial, medical, office, public and education facilities, recreational and institutional redevelopment. The mixed-use development will focus on creating a vibrant

and attractive gathering place for the entire community. The development will include a town center; adequate provisions for distinct and interconnected multi-generational neighborhoods; easy access to parks, facilities and services; a pedestrian friendly street network; and interior greenway and blueway open space linkages that integrate the Redevelopment District with existing County resources. In spring 2006, BCC accepted a proposal for redevelopment in agreement with the objective of the CRP.

The redevelopment initiative creates the opportunity to reshape the economic and social core in the Murdock area and enhance Charlotte County from the redevelopment area along Toledo Blade Boulevard to the I-75 exchange to the north.

#### **D. Past Land Development Practices in Charlotte County**

Charlotte County can be best described as a "platted lands" community. The situation is not unique, but one that is rather widespread in southwest Florida. Other platted lands communities include the City of Cape Coral and Lehigh Acres in Lee County and City of North Port and South Venice in Sarasota County. Platted lands are a result of the Florida land sales booms of the 1950s, 1960s, and 1970s when large-scale developers subdivided huge amounts of property into individual lots and then sold the lots to people through mass advertising and sales practices.

**Port Charlotte.** Leading the way in land sales in Charlotte County was the General Development Corporation (GDC), which later became known as Atlantic Gulf Communities Corporation. The Mackle Brothers began lot sales in 1955 preceding GDC. The 185 square mile Port Charlotte subdivision was located within two counties - Charlotte and Sarasota - with the largest area in Charlotte. Today, the Charlotte County portion of the subdivision contains approximately 113,539 lots and parcels. Of these lots and parcels, 74,626 are vacant (66%).

**Murdock.** In 1907, the American Agricultural Chemical company completed the Charlotte Harbor and Northern Railroad (CH&N) in order to haul phosphate to Boca Grande, which was a thriving seaport at the turn of the century. The CH&N established a railroad station at what is now the junction of US 41 and SR 776 and named it Charlotte. Within a few years, John Milton Murdock, a real estate salesman from Chicago, established the Murdock Land Company and began marketing 10-acre farm-and-lot packages. Eventually, the marketing campaign failed and Murdock sold some land to A.C. Frizzell for back taxes. Eventually, it came under the ownership of the General Development Corporation. Currently, Murdock, named after John Milton Murdock, is the County's commercial "town" center. It is the home of the School Board Administration Center, the Charlotte County Administration Complex, the Port Charlotte Town Center Mall, and other large-scale commercial and industrial establishments.

**Rotonda West.** Rotonda West has the distinction of being unlike anything anywhere else in the United States. The 20,000-acre site located on the Cape Haze peninsula was started in 1969 by the Cavanaugh Leasing Corporation of Miami. Rotonda West was promoted as "one of the most exciting concepts in land planning ever devised....a self-contained circular community of 50,000" (*Rotonda, The Vision and the Reality*, by Jack Alexander. Tabby House: 1995). Since its beginning, ownership of the development has changed hands several times and, today, the

circular development and its surrounding subdivisions total 21,255 lots of which 17,119 (81%) are vacant.

**El Jobean.** Sir Edward James Reed, an Englishman, first bought the land that El Jobean now occupies from the State of Florida in 1883. Sir Edward in turn deeded it to the Florida Land and Management Company, Ltd. of London. The land changed hands several more times until Joel Bean, a Boston lawyer, purchased it. In 1924, Mr. Bean filed a plat for a city to be divided into six wards, each with its own civic center bordering a circular plaza. Most of the lots were 5,000 square feet in size (50' x 100') with a 12-foot driveway to the rear. Mr. Bean also began the El Jobe-An Farms agricultural community. All went well until the stock market crash of 1929 when Mr. Bean stopped construction and went into partial retirement. Today, only a remnant of El Jobean remains. Much of the subdivision has been purchased for development of the Riverwood Development of Regional Impact.

**Harbour Heights.** Harbour Heights, located at a bend on the west bank of the Peace River, was formerly known as Shell Point. The area was originally developed for phosphate mining and later, turpentine and timber. John Brewer sold his holdings at Shell Point to Florida Southern Railroad in 1920. Neil and Elvia Larsen, and later the Bayshore Company, owned 323 acres at Shell Point. When the 1920's land boom went sour, Shell Point and the surrounding railroad property were abandoned.

Having noticed the property while flying from nearby Carlstrom Field, General Charles H. Danforth bought Shell Point in 1936 for \$107.24 in back taxes and \$300.00 in court costs. Danforth built his retirement home, styled after the Panama Canal Officer's Club, at Shell Point. Federal Realty acquired the property in 1953.

Charlotte County Land and Title Company, which acquired the property in 1957, added the community pool, park and navigable canals and renamed the area Harbour Heights. The area was platted with 40 by 120 feet residential lots and 25 by 120 feet commercial lots. Necessities such as buffering and adequate parking were overlooked. Marketing was done through celebrities and international advertising. Boat racing and fishing tournaments were also held in the waters off Harbour Heights. The area was well stocked with 100-pound Tarpon and all sorts of game fish. Manatees and dolphin still frequent the canals of Harbour Heights.

In 1958, the Harbour Heights Civic Association was formed and the Danforth home was converted to a Civic Building was built with donations. In the 1960's, its first volunteer fire department located in the Civic Building. Later a new fire station was built on a site donated by a developer. In 1966, the developer went bankrupt and utilities were not extended beyond the initial twelve-block area. The pool, park and roads fell into disrepair, but the civic association held together. The park site, named after Rebecca Neal Owens who worked so hard to restore it, is now run by the county and is used to serve congregate meals.

Today, Harbour Heights has a population of 4,759 with 28 businesses, a school, a fire station and a church. The civic association is still active in improving the community and preserving its natural beauty - woodlands, wetlands and waterways.

**Punta Gorda Isles developments.** The developer of the various Punta Gorda Isles communities followed a development philosophy that was somewhat unusual for the middle areas of Charlotte County. These communities, even the one started in the mid-1950s, were platted with both water and sewer installed for all units. In addition to the attractiveness associated with deed-restricted communities, the availability of water and sewer led to rapid sales of home sites in Punta Gorda Isles. The original Punta Gorda Isles, entirely within the city limits, had canal frontage for most lots providing boat access to Charlotte Harbor. Along with this community boating flavor, each homeowner also received access interests to the Burnt Store Golf and Country Club or to the St. Andrews South Golf Club.

A later development in the unincorporated Deep Creek section of the county approached the open space issue with green space and lakes rather than canals. Again, the availability of water and sewer in Deep Creek led to rapid sales of home sites in that community. An additional noteworthy difference between the Punta Gorda Isles development in Punta Gorda and the Deep Creek community is that the earlier community had a deed restriction requiring tile roofs.

The residents of the Punta Gorda Isles communities tend to have a healthy level of pride in their neighborhoods and display a high degree of civic interest.

**Tropical Gulf Acres.** This development was begun in 1955 and is located on both sides of US 41 between Fort Myers and Punta Gorda. It is a 4 square mile subdivision with 7,821 platted lots (subdivision), most of them 60' x 120'. Today, the development has approximately 755 dwelling units, 66 miles of roads, and 26 lakes. Of the 8,691 total lots, 7,821 (90%) are vacant (of the total lots/parcels not all are residential platted lots).

As the preceding text indicates, platted lands are a major segment of developable lands in the western thirty percent of the county. In most cases, roads and drainage structures have been constructed and lots have been sold to individual property owners who expect to develop on them one day in the future. In a few instances, the original developer has received plat approval and sold lots, but may not have installed the necessary infrastructure.

The following table and Map 3.1, identify the status of the most significant platted subdivisions in Charlotte County.

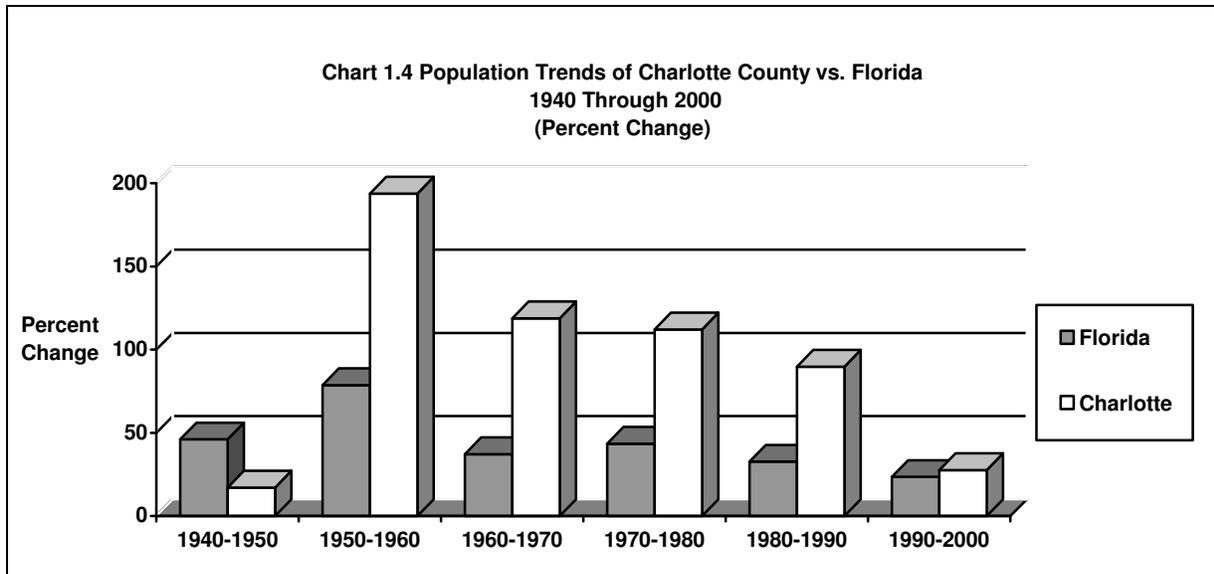
<b>Table 1.2 Current Status of Major Charlotte County Subdivisions</b>				
<b>Subdivision</b>	<b>Developed Single-family Units</b>	<b>Other Developed Units</b>	<b>Vacant Lots</b>	<b>Total Lots</b>
Port Charlotte (Mid County)	28,663	1,616	44,023	74,302
Port Charlotte (West County)	8,012	622	30,603	39,237
Rotonda West	3,898	238	17,1219	21,255
El Jobean / Riverwood	796	813	1,496	3,105
Harbour Heights	2,183	832	7,832	10,847
Punta Gorda Isles	10,361	183	7,966	18,510
Tropical Gulf Acres	775	95	7,821	8,691
<b>Total</b>	<b>54,688</b>	<b>4,399</b>	<b>116,860</b>	<b>175,947</b>

Source: Charlotte County Community Development Department, October, 2006

The over platting of land has made achieving growth management objectives very difficult. For the most part, development has followed the extension of potable water lines in Charlotte County. Therefore, the provision of infrastructure appears to be the most effective tool for directing where, when, and at what intensity development will proceed. The growth management strategy within this comprehensive plan utilizes the provision of infrastructure as the primary tool for managing growth and development in Charlotte County. It is referred to as the Urban Service Area strategy.

## **E. Population Analysis**

**Population Growth.** Florida's population has increased steadily since the 1940's as illustrated by Chart 1.4. As is also illustrated by Chart 1.4, Charlotte County is no exception with a population that has nearly doubled every decade since the 1950's, though the increase has slowed in the immediate past decade (1990-2000) to about 27.6%. This is still slightly higher than the State's growth rate of 23.5%.



Source: U.S. Census Bureau

Table 1.3 shows the percent change in Charlotte County’s population during the 1990s. The percent change is shown in comparison to the percent change in population in the other County’s in Southwest Florida during the 1990s.

<b>Table 1.3 State and Southwest Florida Population Growth 1990 – 2000</b>			
<b>Area</b>	<b>1990 Population</b>	<b>2000 Population</b>	<b>Percent Change</b>
Collier County	152,099	251,377	65.3
Hendry County	25,773	36,210	40.5
Glades County	7,591	10,576	39.3
Lee County	335,113	440,888	31.6
<b>Charlotte County</b>	<b>110,975</b>	<b>141,627</b>	<b>27.6</b>
Sarasota County	277,776	325,957	17.3
Southwest Florida Total	909,327	1,206,635	32.7
State of Florida	12,937,926	15,982,378	23.5

Source: U.S. Census Bureau

The County’s population growth has closely tracked the prediction of the 1997 Comprehensive Plan, which projected the population to be 147,400 for the year 2000. The difference between the predicted and actual (Census) populations is about 4% or 5,773 people.

As a tourist and retirement mecca, Southwest Florida experiences significant seasonal variations in population. The Southwest Florida Regional Planning Council’s (SWFRPC) April 2002 Strategic Regional Policy Plan reports that the fluctuations in population can be attributed to three broad groups: part-time residents (usually in the winter), tourists, and seasonal workers (mostly resort employees and farm workers). SWFRPC finds that it is very difficult to determine the number of people within each group because of mobility and varying lengths of stay. Part-time winter residents, sometimes called “snowbirds,” make-up the majority of Charlotte County’s seasonal population. The busiest period for winter residents is from mid-November to mid-April. They may own a second home or condominium in the region or have a long-term

rental arrangement. SWFRPC estimates that during the season, winter residents may increase the six County Region's population by as much as 22%. Most of this increase occurs in the coastal counties. SWFRPC based the estimate on a combination of taxable sales, the number of homes held for seasonal use, and a ratio of seasonal households to total households.

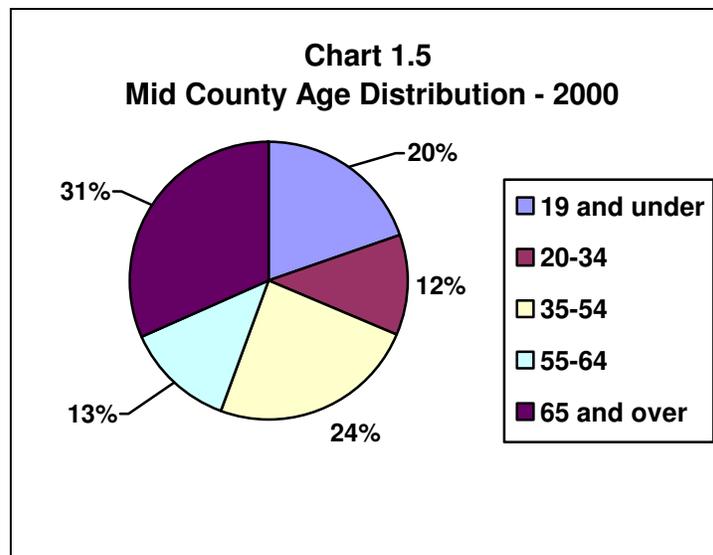
Charlotte County continues to have a large population of elderly and retired persons. The 2000 Census reports that over half the population is over age 54 and 34.2% of the population is over 65 years of age, which is one of the highest in the nation. BEBR also projects that the County's median age will increase from 54.3 (2000 Census) to 60.3 by 2020.

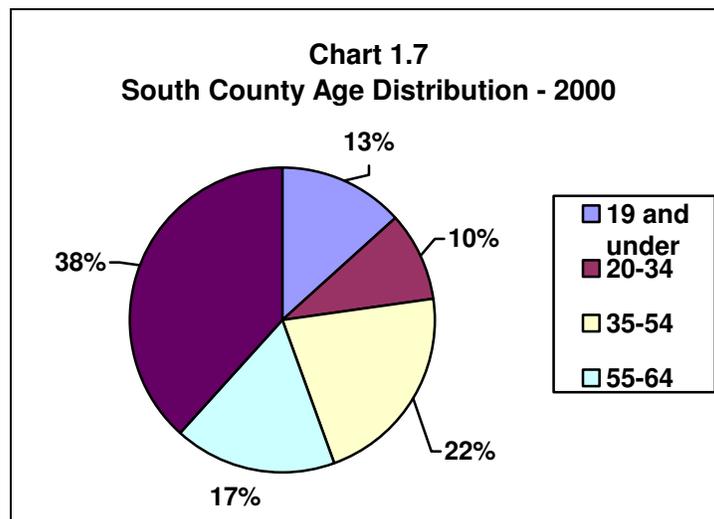
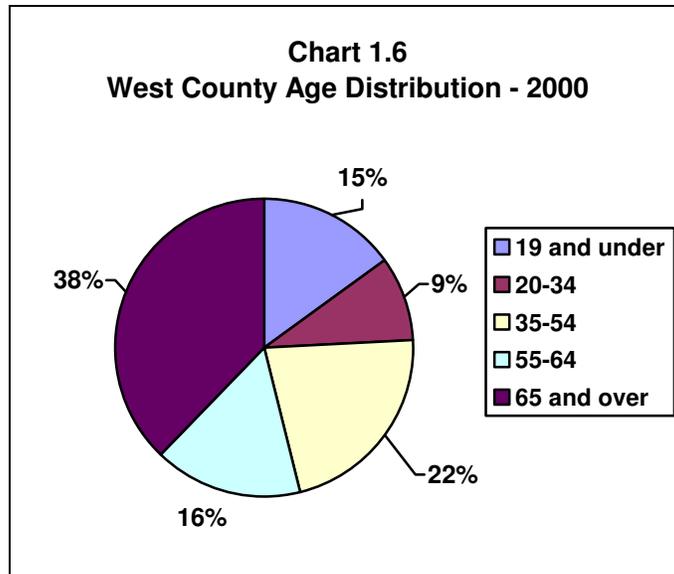
Closely related to the County's median age is the number of persons per household. This number - 2.18 persons per household - suggests that many of the County's households are composed of married couples who have no children or whose children have moved away. The greater percent increase in total households versus total persons during the 1990s, is due to the decrease in persons per household.

<b>Table 1.4 Charlotte County Households</b>			
	<b>2000</b>	<b>2004</b>	<b>Percent Change</b>
Total households	63,846	70,754	10.8
Persons in households	139,035	154,244	10.9
Persons per household	2.18	2.18	0

Source: U.S. Census Bureau

Because many of the County's platted subdivisions are marketed as retirement communities, the age make up of the planning districts are similar. Since many of the baby boomers will be retiring within the next few years, this trend is likely to continue.





Source: U.S. Census Bureau

Note: East County contains less than 1% of the County's total population and is included with the figures for South County.

During the 1990s, the County's racial composition changed only slightly. The 2000 Census shows a slight decline in the white population from 95% to about 93%, while African-Americans increased from 3.8% to 4.5%. The other racial categories account for the remaining 2.5% of the population. The Census reports that by 2000, persons of Hispanic origin races increased to 3.3% of the County's population up from 2.2% in 1990. Persons of Hispanic origin may be of any race and therefore are not counted with persons by race.

A community's population changes because of three factors -- births, deaths, and migration. The combination of these three factors determines whether a community's population increases, decreases, or remains constant.

*Births.* In 1994, the rate was 8.0 births per 1,000 population. By 2003, the rate was 6.8 births per 1,000 population versus the statewide birth rate of 12.4 per 1,000 population. BEBR reports Charlotte County's 2003 birth rate was the second lowest in the State. Table 1.5 displays birth rates of the Counties in Southwest Florida and the State.

<b>Table 1.5 Birth Rate Comparison</b>		
<b>Jurisdiction</b>	<b>1994 Rate</b>	<b>2003 Rate</b>
Sarasota County	8.6	21.2
Hendry County	20.1	18.9
Collier County	13.6	12.6
Lee County	11.7	11.3
<b>Charlotte County</b>	<b>8.0</b>	<b>6.8</b>
Glades County	9.8	5.4
State of Florida	13.7	12.4

Source: Florida Statistical Abstract, 2004, Table 3.03 rates per 1,000 persons

*Deaths.* While the birth rate has been among the lowest in the State, the County's death rate is one of the highest. Only three Counties have higher death rates than Charlotte. The County's death rate, however, has remained stable from 1994 to 2003. Table 1.6 displays death rates for the Southwest Florida region and the State.

<b>Table 1.6 Death Rate Comparison</b>		
<b>Jurisdiction</b>	<b>1994 Rate</b>	<b>2003 Rate</b>
Sarasota County	14.9	33.5
<b>Charlotte County</b>	<b>14.2</b>	<b>14.1</b>
Lee County	11.6	10.7
Glades County	10.9	9.7
Collier County	9.5	8.4
Hendry County	8.5	8.2
State of Florida	10.5	9.8

Source: Florida Statistical Abstract, 2004, Table 3.15 rates per 1,000 persons

The County's birth and death rates are indicative of its large elderly population. This produced a *negative natural change*. BEBR reports that between 2000 and 2003 there were 3,509 more deaths than births.

*Migration.* Despite the negative natural change phenomenon, Charlotte County has experienced one of the country's highest growth rates over the last several decades. It is not due to natural increase; it is because of in-migration. Migration is one of the most important components of population change, and is certainly the fastest. BEBR reports that from 2000 to 2003, the County experienced a net migration of 13,876 persons.

**Anticipated Growth.** According to BEBR, from 2000 to 2010, Charlotte County will experience an annual population increase ranging between 1.4% and 3.6%. This would equate to a 2010 Charlotte County population increase from 157,800 to as much as 192,800. It is projected that by 2030 the County's population could increase to about 311,400, which is an annual increase of about 4% from 2000. As evidenced by the data presented in Tables 1.5 and 1.6 the growth will be overwhelmingly due to in-migration. Discussed in detail under the Seasonal Population section, below, those numbers are modified, as appropriate, to reflect seasonal changes.

The majority of growth will continue to occur within the Urban Service Area Overlay District (USAOD), both within the Infill and Suburban Areas. Due to low buildable densities and a lack of infrastructure, the County does not anticipate significant growth outside the USAOD. Where these incoming people will live is discussed further in this Chapter in Growth Trends in Charlotte County.

## **F. Existing Land Uses**

An existing land use analysis provides a local government with a good indication of where it stands as the community develops. This analysis is used to support the comprehensive plan's infrastructure, capital improvements, recreation, and future land use needs, as well as the adopted goals, objectives, and policies. It examines the types of development that are currently in place, as well as infrastructure available to serve land uses. The analysis is divided into four sections - one for each of the geographic regions of the County.

The Existing Land Use Map series represents several data base layers that are stored on a Geographic Information System (GIS). They are parcel-based maps that link land uses to each individual tract of land. This may be somewhat deceiving if viewed strictly from a graphical point of view. For example, a 100-acre parcel may contain one 10,000 square foot commercial building, but may appear on a map as a much larger development because the entire 100-acre parcel is shaded. Therefore, a map may display 100 acres of a color while the database indicates that only 10,000 square feet of commercial space is on the site. The database provides an accurate count which may not be visually implied by the map. The General Existing Land Use Map is included as a freestanding component with this comprehensive plan. It is meant to be a descriptive tool, unlike the Future Land Use Map, it has no regulatory purpose.

The General Existing Land Use Map is represented by thirteen primary categories which are:

1. Residential or housing facilities.
2. Publicly owned facilities.
3. Utilities.
4. Park or recreation sites.
5. Health care facilities.
6. Agricultural sites.
7. Mining sites.
8. Industrial sites.

9. Commercial businesses.
10. Lodge or club facilities.
11. Burial grounds.
12. Marinas.
13. Abandoned structures.

Section 9J-5.006 F.A.C. further states that the Existing Land Use Map series shall include conservation uses (activities or conditions within land areas designated for the purpose of conserving or protecting natural resources or environmental quality including areas designated as flood control, protection of quality or quantity of water, floodplain management, commercially or recreationally valuable fish and shellfish, or protection of vegetative communities or wildlife habitats); educational use; public use (includes public buildings and grounds and other public facilities); vacant or undeveloped land; and historic resources.

These categories represent approximately 70 more specific secondary categories developed for data collection purposes by the Community Development Department staff. Several sources are used to develop the database: aerial photographs, a Global Positioning System (GPS), county certificates of occupancy, and windshield surveys by staff. A complete listing of the secondary categories appears in the appendix.

*East County (east of range line 23E/24E and Interstate 75)*

Existing land uses in East County are primarily classified as agricultural, extractive industry, or refuge. The first two land uses represent the primary economic segments of this rural area. *Agricultural lands* comprise most uses and have been coded as either improved or unimproved in the GIS database. Agricultural lands are used for citrus and row crop production, native range grazing of livestock, timber production, and extractive industries in some cases. Single-family homes are not depicted on the Existing Land Use Map for agricultural sites; such home sites are few and are generally occupied by the owner of the property on which it is sited. Ecotourism is a popular activity in East County, especially the Babcock Wilderness Adventure which takes place on the Babcock Ranch holdings.

*Extractive industries* located in East County produce limestone, gravel, and sand for a variety of purposes.

The *Fred Babcock - C. M. Webb State Wildlife Management Area* comprises the second largest land use in East County. It is a state owned wildlife refuge that provides recreational opportunities for citizens of Florida. The State also leases some of the land to ranchers for livestock grazing.

*Residential land uses* currently comprise a small percentage of land uses in East County. Numerous homes are located in the vicinity of State Road 31 just north of the Lee County border; along County Road 74; south of the DeSoto County line; and east of U.S. 17. These homes are relatively unclustered except for those located north of Lee County and east of U.S. 17. In 2005, the Board of County Commissioners approved the 13,521+ acre Babcock Ranch Overlay District creating a mixed use community east of State Road 31, north of and adjacent to the Lee County line.

*Commercial land uses* are almost non-existent in East County. Currently there are no groceries or convenience stores to serve the population; however, Babcock Ranch Overlay District provides for 6,000,000 square feet of retail, office and industrial uses which could address these needs. There is a large commercial parcel identified at the eastern end of the county - it is an automotive/farm machinery repair shop which is located on a large parcel.

*Environmental lands.* Important environmental lands include Telegraph-Cypress Swamp and Rainey Slough. The Telegraph-Cypress Swamp is located within the Babcock Ranch in the southeastern area and contains over 7,000 acres of swamp and marshlands. The swamp drains south to the Caloosahatchee River. As part of the Babcock Ranch Overlay District the State of Florida acquired the balance of the Babcock Ranch (58,000+ acres) for conservation and preservation purposes. Rainey Slough, located in northeastern Charlotte County is an expansive freshwater marsh, which drains to the southeast into Fish Eating Creek.

*Public facilities* are limited in eastern Charlotte County. Central potable water and sanitary sewer lines have not been extended to this rural portion of the county. Development is served by potable water wells and septic tanks or small package treatment facilities. The lack of central water and sewers discourages intensive development. Fire protection is provided by the Bayshore Fire District, which operates from a Charlotte County Fire station along Highway 31, through a contract with Charlotte County.

Few roads serve East County. County Road 74 stretches from Punta Gorda eastward to the Glades County line. State Road 31 runs north-south from DeSoto County to Lee County. These roads are two laned and are in good condition. Most residents of southern East County do not have direct roadway access to U.S. 41 and Interstate 75 through Charlotte County. These residents must travel along State Road 31 and County Road 74 to connect with those main thoroughfares. The remainder of the roads in East County is county or privately owned.

It is anticipated that implementation of the Babcock Ranch Overlay District and subsequent Development of Regional Impact will, over time, result in significant infrastructure improvements (sewer, water and roads) and public facility upgrades (schools, fire/EMS and parks).

*South County (west of range line 23E/24E and south of the Peace River)*

There are varieties of land uses in South County. South County includes the only municipality in the County - the City of Punta Gorda - and several rural communities such as Cleveland and Solana. Other prevalent land uses include vacant land (primarily in platted subdivisions), agriculture, and residential. Parkland, industrial sites, and commercial lands are also significant uses.

In 2005, the Board of County Commissioners approved the Burnt Store Area Plan and associated amendments to the Comprehensive Plan. The area encompassed by the Plan is located in the southern one-third of South County which is primarily rural and consists of agricultural lands. Adoption of the Plan in 2006 placed approximately 22,370 acres of agriculturally zoned and designated land within the Urban Service Area and changed the land use designation for the Plan

area to the Burnt Store Overlay District. As Southwest Florida becomes more developed, much of the South County area will become urbanized. Approximately 57% of South County lots and parcels are currently vacant or undeveloped. In addition to the Charlotte County existing land use map and for comparison purposes, the existing land use map for the City of Punta Gorda is included in this element.

*Residential lands* are usually located within an Urban Service Area boundary and reflect the County's recognition of the general overplanning pattern in Charlotte County. Building lots range in size from approximately 4,000 square feet to over 5 acres. South County designated residential lands are built out at less than fifty-nine percent. It is anticipated that the Burnt Store Corridor will be an area that will develop during the next planning period as it contains the approved Tern Bay (a.k.a. Caliente Springs) Development of Regional Impact, the relatively fast growing community of Seminole Lakes and the afore referenced Burnt Store Area Plan.

*Commercial lands* are generally located along the major thoroughfares of U.S. 41 and U.S. 17. The main shopping area for food and other staples is located in or near the City of Punta Gorda; however, three commercial nodes (ranging in size from 30,000 to 200,000 square feet per corner) are identified in the Burnt Store Area Plan. Additional commercial shopping centers for goods and services may be needed at various locations, depending on commercial build out in Burnt Store planning area, in the future, as the population of South County increases.

The largest area (3,000± acres) of existing *industrial land* is located at the Charlotte County Airport; however, the adoption of the Enterprise Charlotte Airport Park overlay district has created a light industrial-office park that prohibits all heavy industrial uses. It has good access to major transportation corridors central water and sewer already serve the terminal area. In addition to a few industrial sites located in South County, mainly along major roadways, the County rezoned and redesignated approximately 100 acres for heavy industrial uses.

For the most part, roads have already been developed in South County to serve transportation needs for the next several years. Roadways that provide hurricane evacuation (U.S. 17 in particular) should be improved to manage traffic impacts from increased population. Central potable water and sanitary sewer lines have been provided by Southern States Utilities and the City of Punta Gorda in many areas to serve new development. Areas without such services include the northern locations of South County; Charlotte Ranchettes area; and the Tropical Gulf Acres area. Consideration should be given to providing services prior to intensive development.

*Mid County (northwest of the Peace River and northeast of the Myakka River)*

About fifty-two percent of the county's population lives in Mid County. Much of the land in this section of the county is vacant, but platted. The predominant existing land uses are residential and commercial. Publicly owned sites, utility facilities, and recreational areas comprise most of the remaining existing land uses. Approximately 68% of Mid County lots and parcels are vacant or undeveloped. Communities within Mid County include Port Charlotte, Charlotte Harbor, Harbour Heights, Deep Creek, Murdock, El Jobean, and Riverwood.

*Residential development* has occurred primarily in the eastern half of Mid County. These areas include Deep Creek, Harbour Heights, Charlotte Harbor, and the eastern half of the Port

Charlotte subdivision. A concentration of residential development has also occurred in the El Jobean and Riverwood areas. Scattered residential development can be found along potable water lines in the western portions of the Port Charlotte subdivision.

Vacant residential and commercial lands comprise a large portion of Mid County. This oversupply of available land should, on the surface, appear to be sufficient to serve new development well past the planning time frame. The reality of the real estate market, however, has demonstrated that the glut of pre-platted lots provides little variety to the market and therefore little demand. Since a preponderance of the pre-platted lots were provided with minimal, if not substandard, infrastructure homebuyers are looking outside of these areas to amenity rich developments with infrastructure. The Urban Service Area strategy within this comprehensive plan addresses this matter in more detail.

*Commercial land uses* are concentrated along the major roadways, especially the busy U.S. 41 corridor. This strip development pattern has created a community dependent upon the automobile with no local bus service. Additional commercial shopping areas conveniently located to neighborhoods are needed in Mid County. The biggest problem with siting commercial uses is the platting of the community in a 1950s pattern. Collector roads, used for higher traffic volumes and appropriate in most communities as neighborhood commercial sites, are platted for single-family home sites with driveways.

*Industrial land uses* are located in the Murdock and Charlotte Harbor areas. Additional industrial sites are needed, but the preplatting of the community has limited suitable locations. Future industrial sites should be located on sites with access to major transportation corridors such as Interstate 75.

Major health care facilities in the county are located in the Harbor and Olean Boulevard area. The area is home to the two hospitals located within the county's jurisdiction - the other hospitals serving the county are located within Punta Gorda and Sarasota County. Numerous professional offices for doctors, dentists, lawyers, and other professionals, as well as elder care and multi-family dwellings are located in this vicinity.

*Publicly owned facilities and utilities* located in Mid County include the Charlotte County Administration Center, Charlotte County Stadium, the Eastport wastewater treatment plant, public schools, the Charlotte Vocational Technical School, and the Port Charlotte Beach Complex.

In the southern location of Mid County is the Charlotte Harbor Preserve. It is preservation land owned by the State of Florida that serves *recreational* and *refuge* purposes.

The entire range of *public facilities* is available in Mid County, although not in all locations. Most development has followed potable water lines. Sections of the northern and western areas of Mid County are prime locations for incremental water and sewer expansion and would be appropriate as Infill Areas under the Urban Service Area strategy; however, the majority of northwestern Mid County should be considered as reserve for future development well after the turn of the century unless efforts to replat at less intensive uses takes place - it is designated as

Reserve Service Area at this time. Most roads for platted lands have been constructed and are available to serve new and existing development.

West County (southwest of the Myakka River)

Most development in West County has taken place in the western half of the Cape Haze Peninsula. The predominant existing uses are similar to those located in Mid County. Approximately 55% of West County lots and parcels are vacant or undeveloped.

*Residential development* has occurred mainly in East Englewood, Englewood proper, Rotonda West, Grove City, the Placida area, and on the barrier islands; approximately fifty percent of the platted residential lots have yet to be built upon. Vacant land totals a significant amount of land. Four sections of Rotonda West have not been significantly built upon although central water and sewer service is in place. Additionally, South Gulf Cove has not received significant development approximately 905 homes have been constructed on the 13,500 or so buildable lots. The County however, has recently completed the extension of sewer and water service to South Gulf Cove and it is expected that the rate of development will accelerate.

For the most part, *commercial land uses* are located along the major roads of SR 776, CR 771 and CR 775. This development pattern mirrors the earlier stages of Mid County. The SR 776 Corridor Study identified and investigated this issue and confirmed that commercial areas should be located in or near residential areas in order to reduce the number of automobile trips along major roadways and for convenience. The study identified several locations for commercial nodes within the corridor and recommended adoption of a mixed-use zone district and land use designation.

*Industrial sites* are extremely limited in West County, as is the case with the entire county. The major industrial sites are located adjacent to CR 771 east of Rotonda and in the vicinity of San Casa Road in Englewood. Additional industrial land sites are needed.

*Park, recreational and refuge lands* comprise the largest remaining existing land use in West County. The Cape Haze, Gasparilla Sound - Charlotte Harbor, and Lemon Bay Aquatic Preserves are the largest of these. This inventory includes the Port Charlotte State Recreational Area, Englewood Beach, Don Pedro State Park, and Cedar Point which are publicly owned.

The following tables display Charlotte County's existing land uses by acreage and lot/parcel. The data was generated from the Existing Land Use Map layer on GIS.

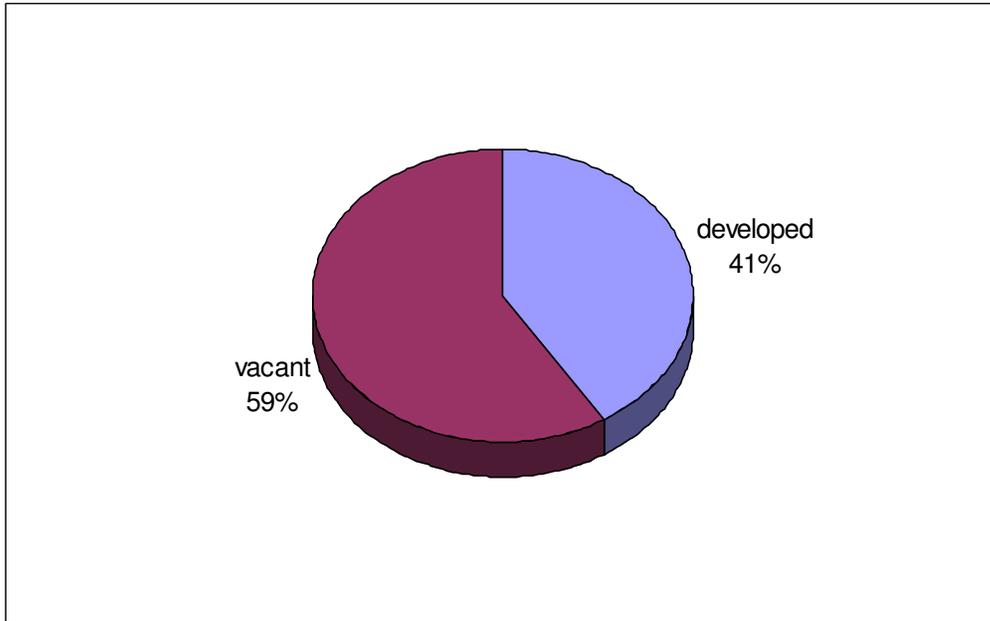
<b>Table 1.7 Estimated Existing Land Uses in Charlotte County, 2006</b>					
<b>Existing Land Use (Acres)*</b>	<b>EAST</b>	<b>WEST</b>	<b>MID</b>	<b>SOUTH</b>	<b>TOTAL</b>
Agricultural	183,085.96	9.00	153.30	9,641.84	<b>192,890.11</b>
Condominium		338.63	366.35	229.20	<b>934.19</b>
Cooperatives	11.73	5.47	4.59	92.45	<b>114.24</b>
Government	63,410.84	14,521.91	5,039.41	15,105.12	<b>98,077.28</b>
Improved Commercial	900.26	1,876.55	1,590.96	1,625.81	<b>5,993.58</b>
Improved Industrial	530.31	377.51	191.70	240.80	<b>1,340.32</b>
Institutional	689.69	118.17	562.84	242.36	<b>1,613.06</b>
MH-Resident Owned Park		1.17	101.34	85.70	<b>188.22</b>
Misc. Res.	505.65	189.96	560.59	964.49	<b>2,220.68</b>
Miscellaneous	5,881.21	5,886.77	1,508.15	3,874.01	<b>17,150.15</b>
Mobile Home	1,301.18	617.09	83.83	754.39	<b>2,756.49</b>
Multi-Family 10 Unit or More	6.45	6.19	204.94	48.88	<b>266.46</b>
Multi-Family < 10 Units	115.81	155.84	135.83	209.73	<b>617.22</b>
Non-agricultural Acreage	6,886.44	165.31	59.80	4,841.30	<b>11,952.84</b>
Ret. Homes		2.25	58.71	3.53	<b>64.48</b>
Single Family Residential	4,333.13	4,832.76	9,855.36	6,239.55	<b>25,260.80</b>
Vacant Commercial	56.97	1,248.40	2,743.18	4,296.87	<b>8,345.41</b>
Vacant Industrial	0.97	262.24	75.47	779.66	<b>1,118.34</b>
Vacant Residential	9,829.78	17,522.98	16,286.01	11,358.56	<b>54,997.33</b>
Vacant MH-Resident Owned Park			0.61	1.34	<b>1.95</b>
leasehold interest			5.47	1.01	<b>6.47</b>
<b>TOTAL (Acres)</b>	<b>277,546.37</b>	<b>48,138.21</b>	<b>39,588.46</b>	<b>60,636.59</b>	<b>425,909.63</b>

\* Source Charlotte County Appraiser, September 2006 (Land use codes modified by appraiser since 1996)

Using the GIS, staff is able to not only determine the acreage of existing land uses, but also the uses by lot or parcel. Within the urbanized area of the county (West, Mid, and South), there are 233,438 lots and parcels. Of these, 138,445 (59%) are vacant. The county totals 258,709 lots/parcels when those from East County are included. East County is not included in most of the analysis regarding platted lands since it is primarily rural and does not include a great portion of plats.

<b>Table 1.8 Existing Land Uses by Lots/Parcels</b>					
<b>Land Use</b>	<b>EAST</b>	<b>WEST</b>	<b>MID</b>	<b>SOUTH</b>	<b>TOTAL</b>
Agricultural	16,249	3	18	285	<b>16,555</b>
Condominium	0	448	538	421	<b>1,407</b>
Cooperatives	107	2	2	989	<b>1,100</b>
Government	263	273	699	608	<b>1,581</b>
Improved Commercial	24	805	2,132	1,066	<b>4,027</b>
Improved Industrial	8	229	289	206	<b>732</b>
Institutional	7	49	322	349	<b>727</b>
MH-Resident Owned Park	0	16	956	288	<b>1,269</b>
Misc. Residential	82	211	536	1,153	<b>1,982</b>
Miscellaneous	85	187	188	217	<b>677</b>
Mobile Home	448	3,555	646	2,199	<b>6,848</b>
Multi-Family 10 Unit or More	1	10	37	30	<b>78</b>
Multi-Family < 10 Units	25	626	424	537	<b>1,612</b>
Non-agricultural Acreage	2034	23	5	722	<b>2,784</b>
Ret. Homes	0	9	27	3	<b>39</b>
Single Family Residential	1,168	17,779	37,876	13,632	<b>70,455</b>
Vacant Commercial	56	1,587	3,049	1,470	<b>6,162</b>
Vacant Industrial	1	142	56	143	<b>342</b>
Vacant Residential	4,466	50,660	57,271	26,139	<b>138,536</b>
Vacant MH-Resident Owned Park	0	0	6	12	<b>18</b>
Non-agricultural Acreage	2,034	23	5	722	<b>2,784</b>
Leasehold Interest	0	0	1	1	<b>2</b>
<b>TOTAL (lots/Parcels)</b>	<b>25,015</b>	<b>76,637</b>	<b>105,083</b>	<b>51,192</b>	<b>259,717</b>

**Chart 1.8 Percentage of Developed vs. Vacant Land in the Urbanized Area**



### **G. Existing land uses in adjacent jurisdictions**

Charlotte County is bordered by two municipal and five county governments. The land use pattern along these borders is generally consistent between each jurisdiction and Charlotte County. A description of adjacent land uses is located in the next several paragraphs and general existing land uses are depicted on Maps 1.5 (for members of the Southwest Florida Regional Planning Council) and 1.6 (DeSoto County, border area).

*Sarasota County* borders Charlotte to the north in the Englewood community which is split between the two counties. The Sarasota County side is primarily comprised of residential and commercial uses. Major roadways connecting the two counties are SR 776 and Pine Street. The barrier island of Manasota Key is also divided between the two counties. The Sarasota County portion is characterized by low-density residential lands - mostly single-family home sites of approximately one acre in size.

The *City of North Port* comprises most of the remainder of the Sarasota - Charlotte County border. It is a platted lands community that was originally developed by the General Development Corporation. In the Cape Haze area of North Port south of the Myakka River, unimproved lands are predominant. This land, formerly known as Myakka Estates, was purchased by the State of Florida and is now the Myakka State Forest.

The more developed areas of North Port are located north of Charlotte's Mid County region. Most development has occurred near the U.S. 41 corridor. It consists of single-family residential

units. The remainder of North Port (just north of Murdock) is primarily vacant platted residential lands. The potential impact of these vacant lands may be tremendous as development occurs.

*DeSoto County* borders Charlotte County to the north. Land uses are primarily rural and agricultural along the border. The exception is in the vicinity of Kings Highway and Interstate 75, which has some residential development. Kings Highway links Mid County to DeSoto County. Wal-Mart has developed a distribution center on the County line on U.S. 17. U.S. 17 and Highway 31 link south and east Charlotte County to DeSoto County.

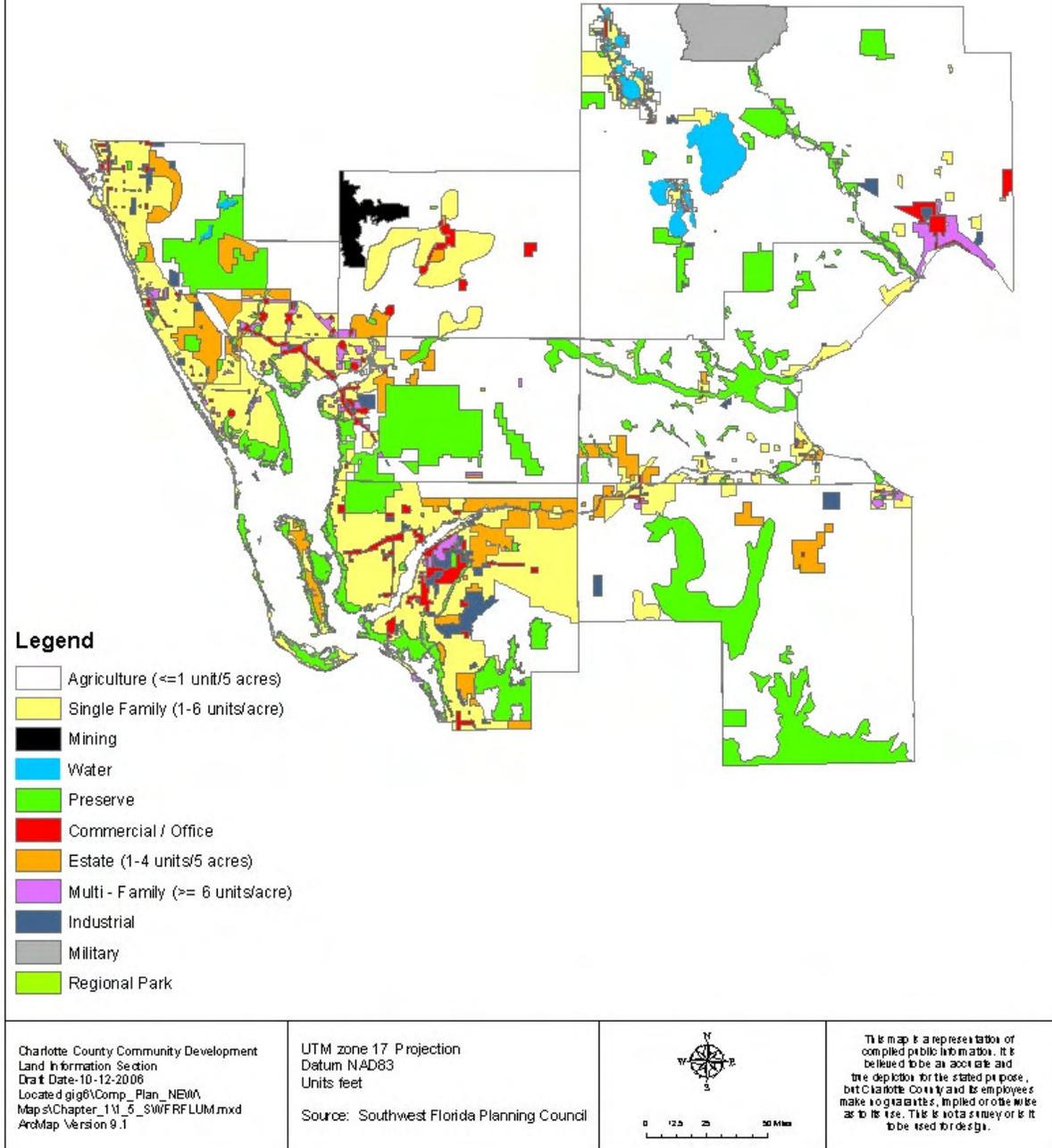
*Glades County* lies to the east of Charlotte County. Glades' existing land uses along the border are primarily agriculture related and include citrus, rangeland, agricultural fields, and commercial timber forests. Additionally, some lands are used for conservation purposes and a limited number of residential homes are located in the southwestern corner of the county. County Road 74 links the two counties.

*Hendry County* meets Charlotte County at the township corners. Existing uses are similar to those of Glades County and include agriculture and residential. No major roadways connect the two counties.

*Lee County* borders Charlotte County to the south and existing land uses along the border include citrus, conservation, agriculture, residential, and vacant (usually rangeland) lands. The island of Boca Grande is split between Lee and Charlotte Counties, and the existing land uses are similar. Both are comprised mainly of residential dwellings in the border area. Four major roads link the mainland - Interstate 75, U.S. 41, State Road 31, and CR 765 (Burnt Store Road). Boca Grande is linked by Gasparilla Road.

The City of Punta Gorda (Map 1.7) is located entirely within the Charlotte County boundary. Existing land uses within its approximate 14 square mile boundary include primarily residential and commercial uses.

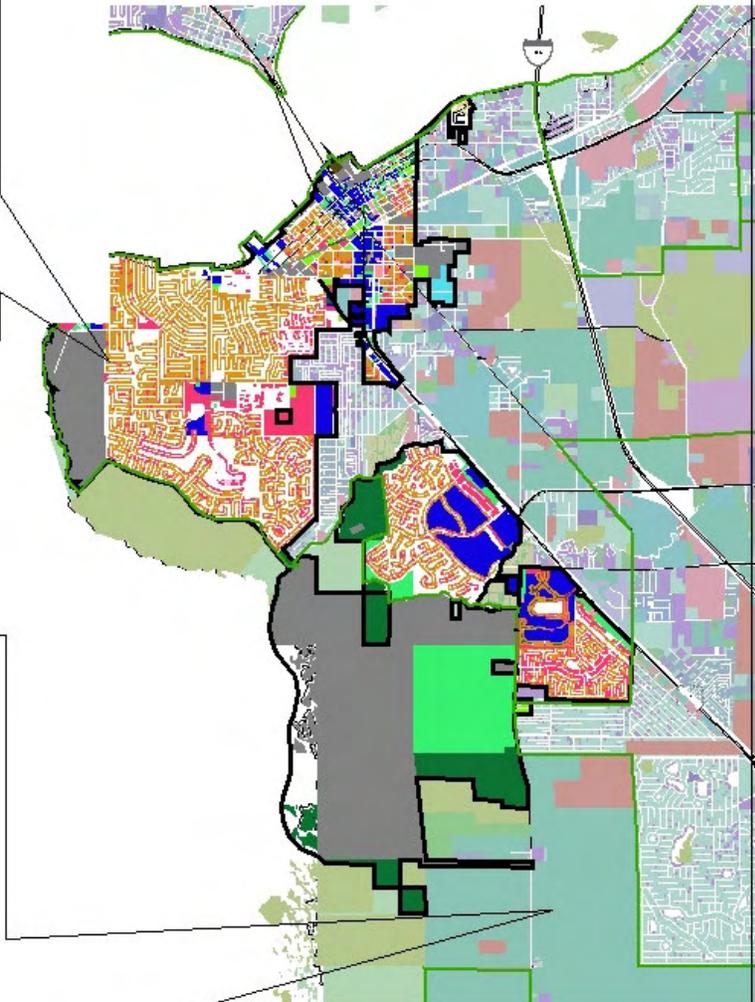
## Map 1.5 Southwest Florida Regional Future Land Use 2010





# Map 1.7 City of Punta Gorda Existing Land Uses

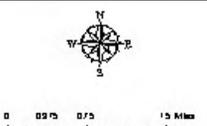
- City of Punta Gorda Existing Land Use
- AGRICULTURAL
  - CENTRALLY ASSESSED
  - CONDOMINIUM
  - GOVERNMENT
  - IMPROVED COMMERCIAL
  - IMPROVED INDUSTRIAL
  - INSTITUTIONAL
  - MISC. RES.
  - MISCELLANEOUS
  - MOBILE HOME
  - MULTI-FAMILY 10 UNIT OR MORE
  - MULTI-FAMILY < 10 UNITS
  - RET. HOMES
  - SINGLE FAMILY RESIDENTIAL
  - VACANT COMMERCIAL
  - VACANT INDUSTRIAL
  - VACANT RESIDENTIAL



- Charlotte County Existing Land Use
- Agricultural
  - Centrally Assessed
  - Condominium
  - Cooperatives
  - Government
  - Improved Commercial
  - Improved Industrial
  - Institutional
  - Leasehold Interests
  - MH-Resident Owned Park
  - Misc. Res.
  - Miscellaneous
  - Mobile Home
  - Multi-Family 10 Unit or More
  - Multi-Family < 10 Units
  - Non-agricultural Acreage
  - Ret. Homes
  - Single Family Residential
  - Vacant Commercial
  - Vacant Industrial
  - Vacant Residential

Charlotte County Community Development  
 Land Information Section-MLH  
 Draft Date-10-04-2008  
 Located g:\g6\Comp\_Plan\_NEW\Map s\Chapter\_1\1\_7\_city\_landuse\_2.mxd  
 ArcMap Version 9

Stateplane Projection  
 Datum NAD83  
 Units meters  
 Source: Charlotte County Property Appraiser



This map is a representation of compiled public information. It is believed to be accurate and the depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise as to its use. This is not a survey or to be used for design.

## H. Growth Trends in Charlotte County

Most development within Charlotte County has occurred within the 28% of the total land area that is within the urban areas of West County, Mid County, and South County. The "Permitting Activity" map (Map 1.8) displays the most popular growth areas during the first half of the 2000s and illustrates that new development has been both clustered and scattered in various locations. None-the-less over 96% of the 6,346 building permits issued from October 1997 to 2005, are within the Urban Services Area Overlay District.

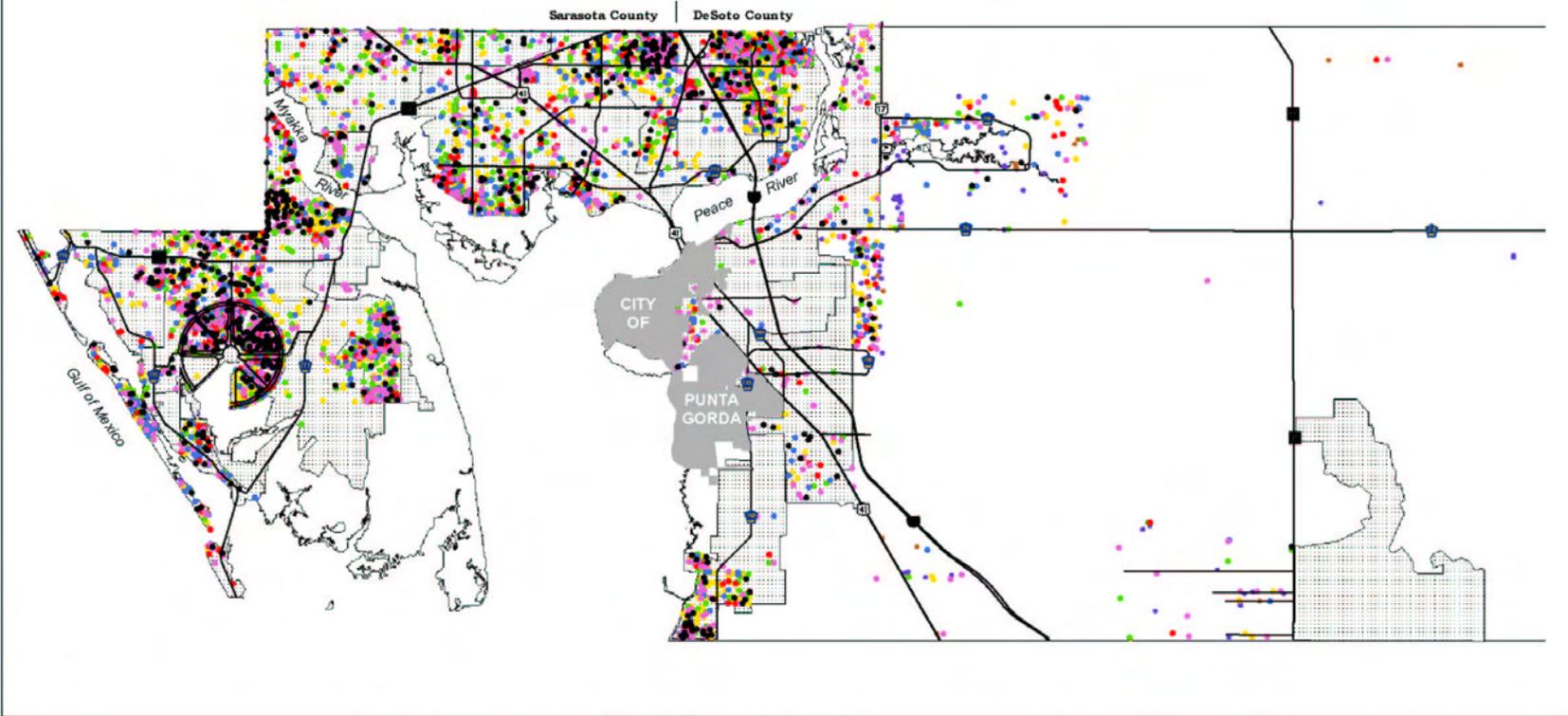
It is anticipated that development of these areas will continue over the next planning period of the Comprehensive Plan. These locations are areas where the pattern of development will continue as either infill or the transition of land from vacant to developed.

Examinations of the Permitting Activity map (Map 1.8) as well as the Vacant Land Relative to Potable Water map (Map 1.9) and the Vacant Land Relative to Sanitary Sewer Service map (Map 1.10), reveal no real trend in regard to the location of residential development relative to the availability of utilities within the Urban Service Area Overlay Boundary. There could be many reasons for this - A primary reason may be that property owners may simply seek to build on whatever lot they purchased, and are willing to use septic tanks, or even septic tanks and wells, in order to do so. In other cases, property owners may not be aware of the availability of lots with infrastructure (having purchased their property, they are no longer interested in looking), and many may not care. Another possibility is that the infrastructure, and in particular sanitary sewer lines, has not been in place very long.

Another indicator of growth activity, and in particular future growth, are the Future Land Use Map (FLUM) amendments that the County has approved since the adoption of the 1997 Comprehensive Plan. As shown by Map 1-11, all but one of the County's land use amendments that occurred outside of the Urban Service Area have been to change the FLUM designation to Preservation or Resource Conservation in recognition of the State's acquisition of large, environmentally sensitive areas. The one exception was the designation of a new park, which provides public access to Shell Creek. As a result, there are approximately 18,000 fewer lots in the Urban Service Area Overlay District.

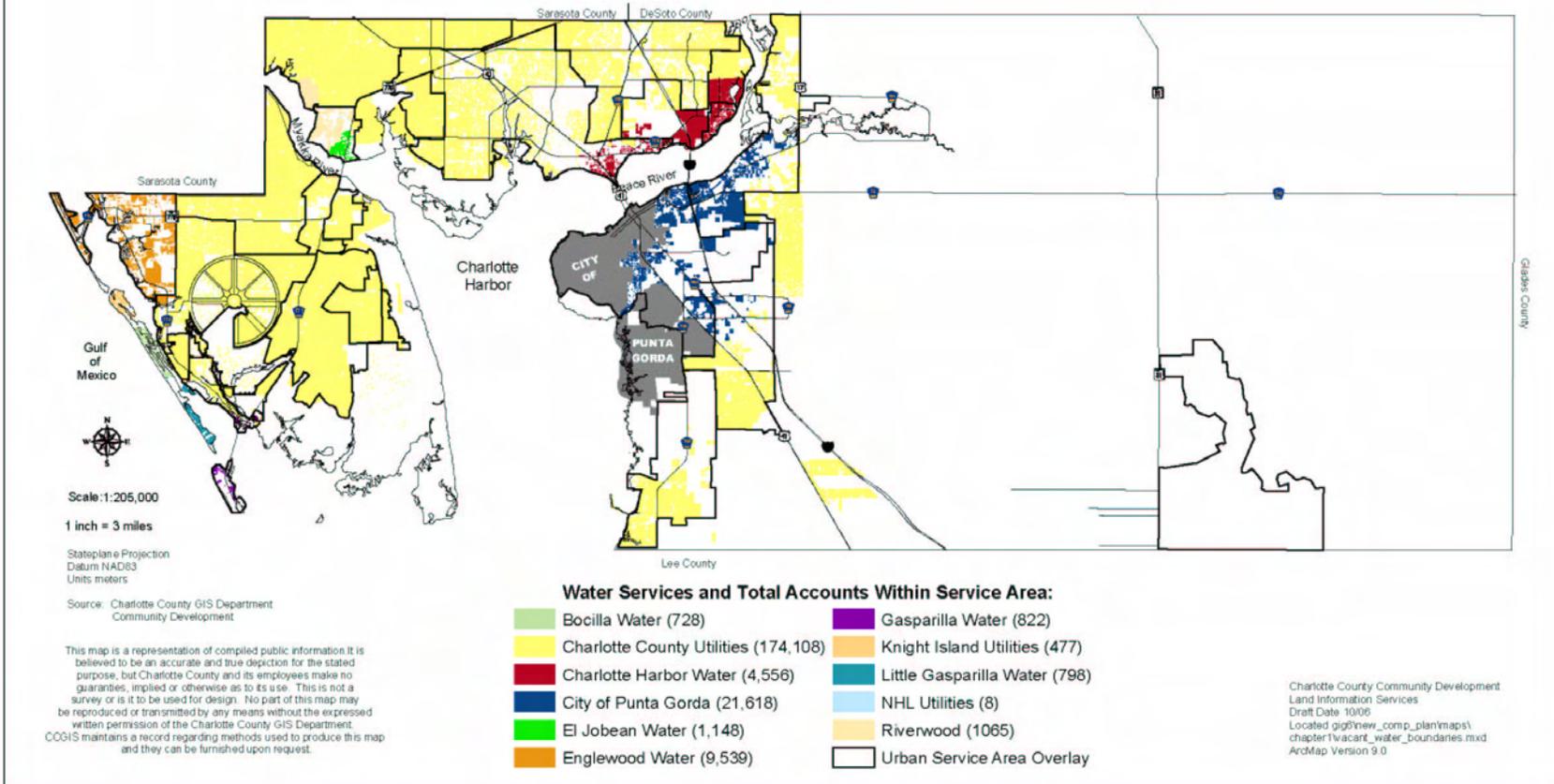
Map 1.11 illustrates the *change* in the Urban Service Area that has occurred because of the FLUM amendments; two major FLUM amendments (Burnt Store Planning Overlay and Babcock Ranch Overlay Districts) have expanded the USAOD by approximately 23,000 acres.

# Map 1.8 Permit Activity

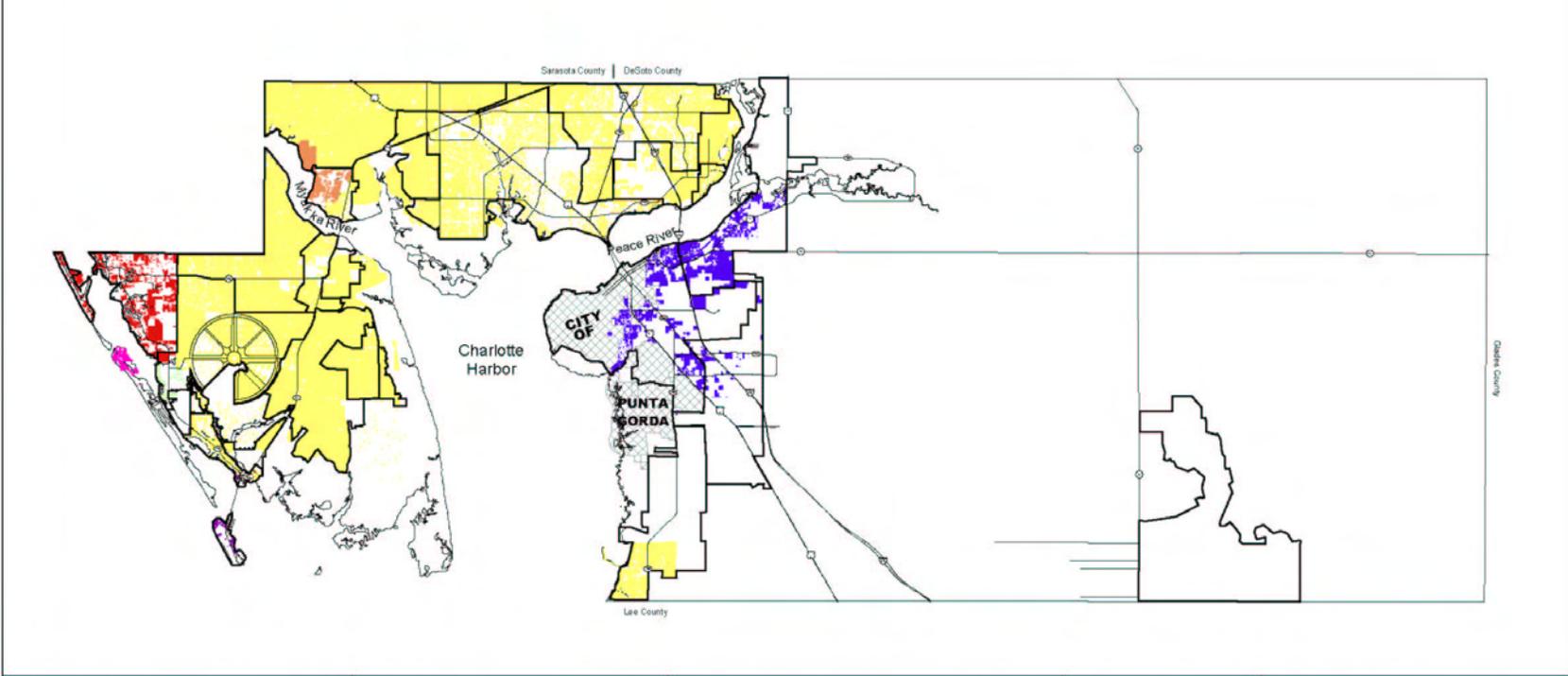


<p>Charlotte County Community Development Land Information Section Draft Date: 10-06 Located: gig6/comp_plan_NEW Maps/Chapter_11_8_Residential_CO.mxd</p>	<p>Stateplane Projection Datum NAD83 Units: meters  Source: Charlotte County GIS, Charlotte County Permitting</p>	<ul style="list-style-type: none"> <li>● 1998 Permits</li> <li>● 1999 Permits</li> <li>● 2000 Permits</li> <li>● 2001 Permits</li> <li>● 2002 Permits</li> <li>● 2003 Permits</li> <li>● 2004 Permits</li> <li>● 2005 Permits</li> <li>▨ Urban Service Area Overlay</li> </ul>	 <p>NOT TO Specific Scale</p>	<p>This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.</p>
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## Map 1.9 Vacant Land & Potable Water Certificated Areas

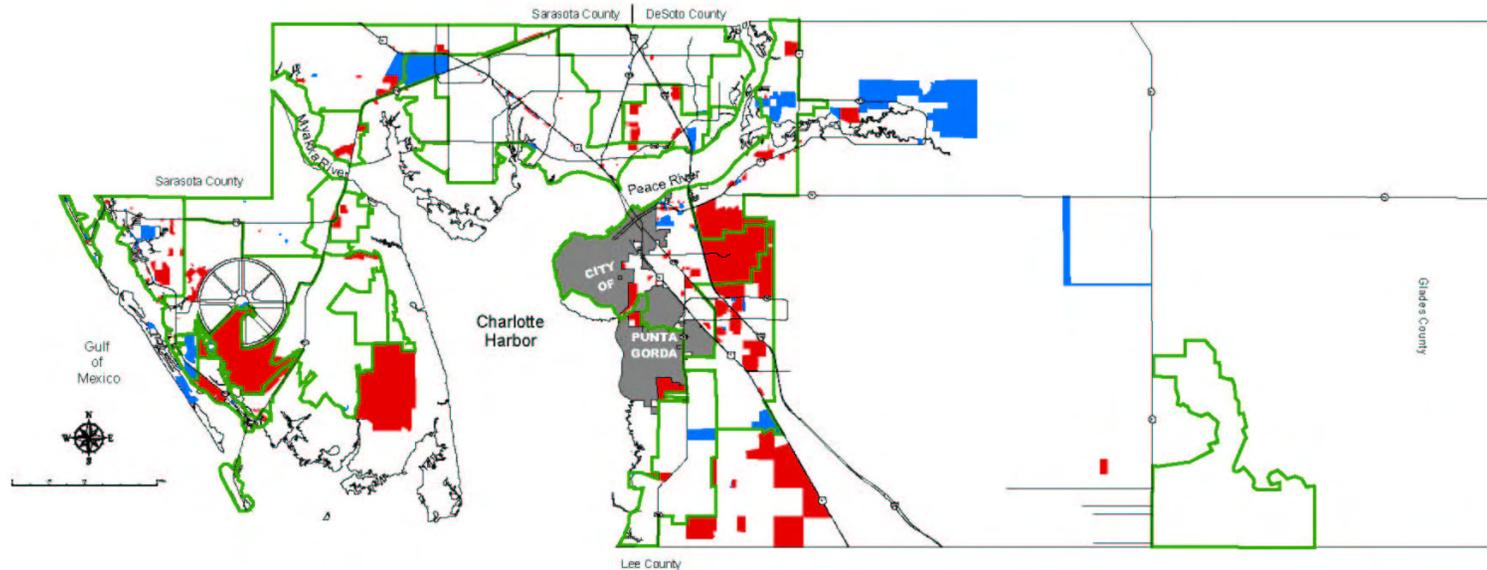


**Map 1.10 Vacant Land within Sanitary Sewer Certificated Areas**



<p>Charlotte County Community Development Land Information Section Draft Date: 10-06 Located: g:\g6\Comp_Plan_NEWMAPS\ Chapter_1\1_10_sewer_areas_vacant.mxd ArcMap Version 9</p>	<p>Stateplane Projection Datum NAD83 Units meters  Source: Charlotte County GIS Department Community Development</p>	<p><b>Sewer Service and Total Accounts Within Service Area:</b></p> <table border="0"> <tr> <td> Urban Service Area Overlay</td> <td> Gasparilla Water (786)</td> </tr> <tr> <td> Charlotte County Utilities (153,423)</td> <td> Knight Island Utilities (478)</td> </tr> <tr> <td> City of Punta Gorda (21,437)</td> <td> NHL Utilities (2)</td> </tr> <tr> <td> El Jobean Water (1,139)</td> <td> Riverwood (881)</td> </tr> <tr> <td> Englewood Water (9,463)</td> <td> Sandhaven Utilities (1,046)</td> </tr> </table>	Urban Service Area Overlay	Gasparilla Water (786)	Charlotte County Utilities (153,423)	Knight Island Utilities (478)	City of Punta Gorda (21,437)	NHL Utilities (2)	El Jobean Water (1,139)	Riverwood (881)	Englewood Water (9,463)	Sandhaven Utilities (1,046)	<p></p> <p>Scale: 1:211,085 1 inch = 3 miles</p>	<p>This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise as to its use. This is not a survey or is it to be used for design.</p>
Urban Service Area Overlay	Gasparilla Water (786)													
Charlotte County Utilities (153,423)	Knight Island Utilities (478)													
City of Punta Gorda (21,437)	NHL Utilities (2)													
El Jobean Water (1,139)	Riverwood (881)													
Englewood Water (9,463)	Sandhaven Utilities (1,046)													

## Map 1.11 Charlotte County Plan Amendments



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.

### Petitions From 1998-July 2006

- Zoning Amendments
- Plan Amendments
- Urban Service Area Overlay

Charlotte County Community Development  
 Land Information Services  
 Draft Date 10/06  
 Located g:\6\comp\_plan\_new\maps  
 chapter1\petitions.mxd  
 ArcMap Version 9.1

## **I. Suitability of vacant land, topography and soils, historic resources, and natural resources**

When considering the extent of vacant land in Charlotte County, the terms must be defined.

*Vacant lands* are those classified by the County Property Appraiser as such. In general, vacant lands are lands on which no improvements have been made and are not subject to a use (such as agriculture) for which a specific classification exists.

*Developable lands* are capable of sustaining development as defined in Section 380.04 of the Florida Statutes. While Section 380.04 exempts agriculture and certain other land use activities from its definition of development, agricultural lands and other properties on which other “exempt” activities occur are not considered vacant. This is because they are not vacant. They are being used for purposes such as agriculture, which though not rising to the level of “development” as provided by the Florida Statutes, are recognized by the State, Regional, and Charlotte County Comprehensive Plans as legitimate categories of land use. With this understanding, it is possible to assess the suitability of Charlotte County’s vacant land.

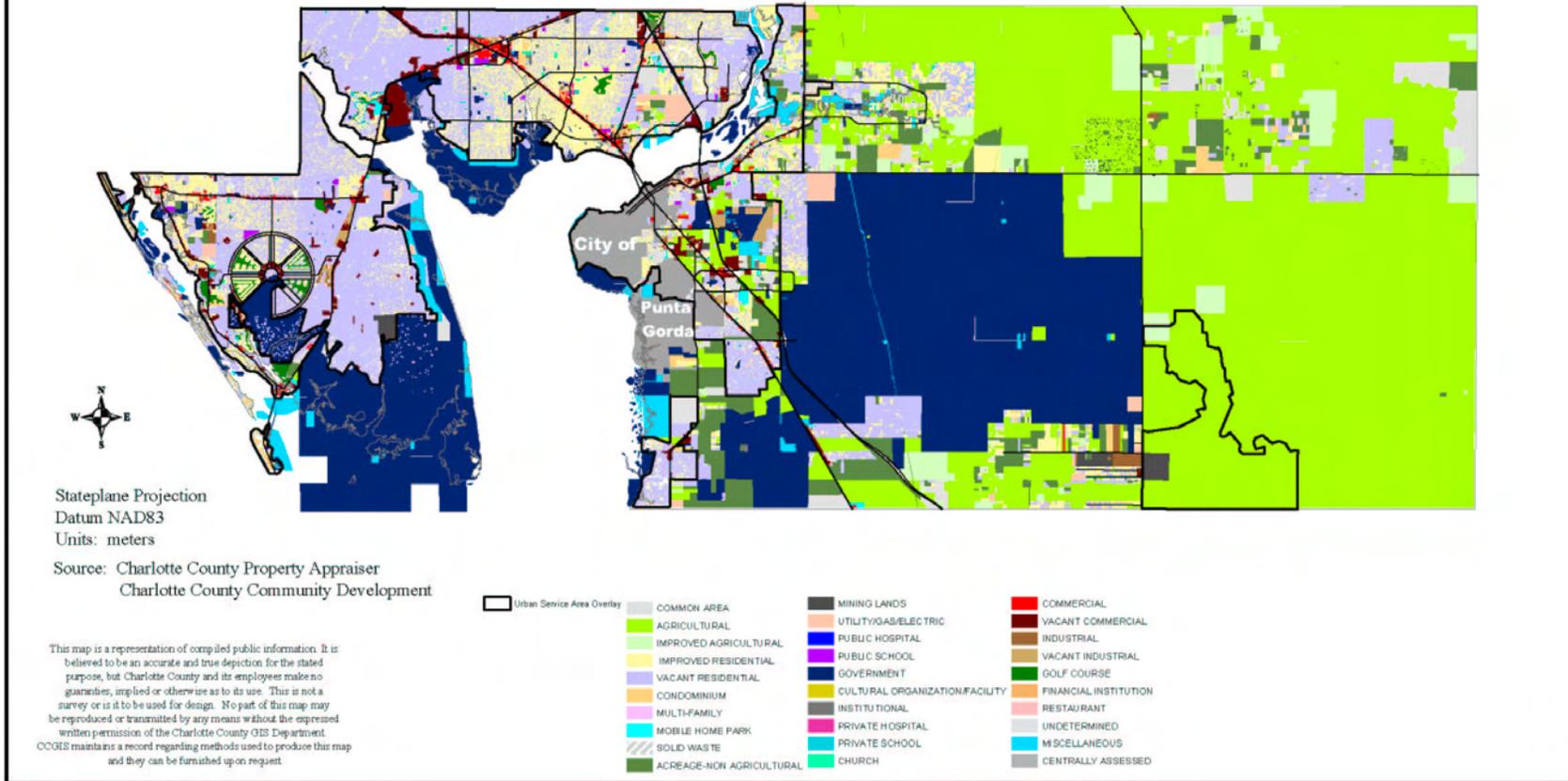
As illustrated by Map 1.12 Existing Land Use, slightly more than half (52.95%) of the County’s vacant land (112,547 acres) occurs within the Urban Services Area Overlay District (USAOD). Vacant land consists primarily of undeveloped quarter acre (roughly) lots intended for residential use. The majority of the vacant lots are directly accessible by roads, though the condition of the roads ranges from well maintained to so poorly maintained that grass grows in them. Road condition, however, does not appear to be a factor in whether a property owner decides to build as there are numerous examples of new homes being constructed on roads badly in need of maintenance.

The vacant lands within the USAOD also include properties bearing commercial, industrial, and other non-residential designations intended to serve the residential lands when needed. These primarily occur along major roads such as US 41 and State Road 776 for which maintenance is not an issue. Whether intended by their owners to be ultimately used for residential development or some other use, these lots are considered vacant as they are neither improved nor subject to any land use activity classification recognized by the County Property Appraiser.

As depicted by Map 1.12 vacant lands also occur in the Rural Services Area (RSA). The vacant rural lands are so designated as they have not been improved, and are not subject to a use (such as agriculture) for which a specific classification exists. Tables 1.9, .10, .11, and .12, provide a breakdown of the County’s vacant lands according to land use designation and by location (Urban Service or Rural Service area).

Are these vacant lands suitable for development, and what factors, if any, could render them unsuitable for development?

## Map 1.12 Existing Land Use, 2006 (Data from Property Appraiser)



<b>Table 1.9 Mid County Future Land Use Designations by USA – Vacant Area</b>			
<b>Land Use</b>	<b>Acreage Inside the USA</b>	<b>Acreage Outside the USA</b>	<b>Total</b>
Agriculture	40	0.0007	<b>40</b>
Charlotte Harbor CRA	796	0	<b>796</b>
Commercial Center	578	5	<b>582</b>
Commercial Corridor	1,343	0.8	<b>1,343.8</b>
High Density Residential	763	0.05	<b>763.05</b>
Low Density Residential	30,863	200	<b>31,063</b>
Low Intensity Industrial	311	0	<b>311</b>
Medium Density Residential	931	0.05	<b>931.05</b>
Mixed Use	3,781	1	<b>3782</b>
Murdock Village Mixed Use Redevelopment	1,139	0.17	<b>1,139.17</b>
Parks & Recreation	709	0.96	<b>709.96</b>
Preservation	112	5,476	<b>5,588</b>
<b>Total Vacant Area</b>	<b>41,366</b>	<b>5,684.0307</b>	<b>47,049.03</b>

<b>Table 1.10 West County Future Land Use Designations by USA – Vacant Area</b>			
<b>Land Use</b>	<b>Acreage Inside the USA</b>	<b>Acreage Outside the USA</b>	<b>Total</b>
Agriculture	3.51	0.00	<b>3.51</b>
Commercial Center	1,014.18	3.09	<b>1,017.27</b>
Commercial Corridor	1,284.30	0.29	<b>1,284.59</b>
General Mixed Use	1.61	0.00	<b>1.61</b>
High Density Residential	973.17	2.17	<b>975.34</b>
High Intensity Industrial	30.25	0.00	<b>30.25</b>
Low Density Residential	26,958.54	742.15	<b>27,700.69</b>
Low Intensity Industrial	594.40	0.00	<b>594.40</b>
Medium Density Residential	1,402.02	333.86	<b>1,735.89</b>
Parks & Recreation	1,652.61	175.48	<b>1,828.09</b>
Preservation	647.17	19,503.14	<b>20,150.32</b>
Public Lands & Facilities	453.98	0.62	<b>454.60</b>
Recreational Vehicle Park	203.21	0.00	<b>203.21</b>
Resource Conservation	0.05	0.00	<b>0.05</b>
Rural Estate Residential	32.04	0.00	<b>32.04</b>
<b>Total Vacant Area</b>	<b>35,251.07</b>	<b>20,760.80</b>	<b>56,011.87</b>

<b>Table 1.11 South County Future Land Use Designations by USA – Vacant Area</b>			
<b>Land Use</b>	<b>Acreeage Inside the USA</b>	<b>Acreeage Outside the USA</b>	<b>Total</b>
Agriculture	1,545.56	6,162.67	<b>7,708.23</b>
Airport Commerce Park	4,351.09	4.20	<b>4,355.29</b>
City	6,576.60	3,438.49	<b>10,015.09</b>
Coastal Residential	20.11	0.00	<b>20.11</b>
Commercial Center	975.04	0.82	<b>975.86</b>
Commercial Corridor	991.97	134.79	<b>1,126.77</b>
High Density Residential	1,524.48	2.22	<b>1,526.70</b>
High Intensity Industrial	201.96	0.04	<b>202.01</b>
Limited Development	8.81	3,290.18	<b>3,298.98</b>
Low Density Residential	11,287.46	529.50	<b>11,816.96</b>
Low Intensity Industrial	486.45	0.00	<b>486.45</b>
Medium Density Residential	73.33	0.00	<b>73.33</b>
Mixed Use	860.20	79.17	<b>939.37</b>
Parks & Recreation	131.36	0.00	<b>131.36</b>
Preservation	906.56	7,551.20	<b>8,457.76</b>
Public Lands & Facilities	445.98	654.87	<b>1,100.85</b>
Recreational Vehicle Park	0.00	23.85	<b>23.85</b>
Resource Conservation	12.36	9,248.47	<b>9,260.83</b>
Rural Estate Residential	1,294.77	1,828.74	<b>3,123.51</b>
Village Residential	8.30	3,324.35	<b>3,332.66</b>
<b>Total Vacant Area</b>	<b>31,702.41</b>	<b>36,273.56</b>	<b>67,975.98</b>

<b>Table 1.12 East County Future Land Use Designations by USA – Vacant Area</b>			
<b>Land Use</b>	<b>Acreeage Inside the USA</b>	<b>Acreeage Outside the USA</b>	<b>Total</b>
Agriculture	13,208.86	165,334.13	<b>178,542.99</b>
Commercial Center	0.00	54.96	<b>54.96</b>
Commercial Corridor	44.82	2.26	<b>47.08</b>
Low Density Residential	583.09	725.20	<b>1,308.29</b>
Low Intensity Industrial	0.00	8.53	<b>8.53</b>
Medium Density Residential	41.56	0.20	<b>41.76</b>
Parks & Recreation	0.00	17.89	<b>17.89</b>
Preservation	81.02	1,214.61	<b>1,295.63</b>
Public Lands & Facilities	0.00	1,836.37	<b>1,836.37</b>
Resource Conservation	347.88	91,375.11	<b>91,722.99</b>
Rural Estate Residential	268.83	3,739.35	<b>4,008.18</b>
<b>Total Vacant Area</b>	<b>14,576.06</b>	<b>264,308.61</b>	<b>278,884.67</b>

As shown by Map 3.1, Subdivisions by Decade, the majority of Charlotte County’s platted lands were created prior to the passage of the Growth Management Act, and before there was any real consideration for environmental issues such as wetlands or listed wildlife species. Thus, many of the platted lots were created, recorded, and sold over top of areas, which under today’s

regulations, would be incorporated into a development plan that preserves green belts, drainage ways, or other amenities. The environmental regulations, however, generally do not prohibit use, but rather require mitigation for impacts, such as the creation of wetlands. In addition, State and Federal wildlife regulations include permitting and mitigation programs, such as habitat conservation plans, mitigation banks, and incidental take permits, relocation permits, and other measures intended to offset impacts while allowing development. Neither the presence of habitats nor listed species prevents development. These attributes can and do affect the ease and cost with which the properties can be developed. It is not accurate to characterize lands as inherently not suitable for development due to environmental constraints. Rather the lands are not readily suitable, and the cost of permitting and mitigation may outweigh the profit of development. Therefore, such properties may be unsuitable for development in the current market, but potentially developable if market forces change.

In addition to environmental constraints that may affect development, a parcel's size, location, and the availability of infrastructure also play roles. In the case of vacant lands inside the USAOD, any one of these factors, or any combination of them, could account for its vacant status. As shown by Maps 1.9 and 1.10, which illustrate water and sewer lines overlaid on the map of vacant properties, Charlotte County's inventory of vacant properties includes parcels that are served by both water and sewer, water only, and neither. In addition, roads serve the vast majority. To what then, can these properties' vacant status be attributed?

For residential properties, sheer numbers probably account for why so many remain vacant. With an inventory of 145,000 vacant platted lots, Charlotte County could continue its current rate of growth for over a century without creating a single new lot. Of course, this prediction does not, and cannot, take into account market conditions that may make these lots more or less desirable over time, the national and global economy that influences whether people decide to build homes, and countless other considerations beyond the County's control. In short, Charlotte County simply has an abundant supply of residential lots that will take time to develop.

In the case of many of the vacant non-residential properties, size seems to play a role. Most occur as strips along the County's major arterial roadways. Their shallow depth limits both the size of the structure they can contain as well as design options. Where sewer lines do not exist, small size further limits use. Part of these properties must be encumbered by septic tanks and drain fields, which along with the required parking and stormwater treatment systems, further reduce the percentage of the property that can be put to profitable use. In some cases, septic tanks and drain fields cannot be used, which again limits the options for development. In summary, it is not possible to state that any one factor has created a condition where properties remain vacant within the USAOD; rather, a combination of factors - as well as the market that may simply not yet demand the use of the properties - determines whether a property is developed.

Location is probably the determining factor for the vacant properties outside the USAOD. As shown by Map 1.9, these properties are typically located in remote areas, far from infrastructure and services. As they are outside the USAOD, they are likely to remain so for some time, almost certainly through the next planning period. In addition, their zoning and land use designations

limit their potential uses to less intensive activities such as agriculture or extremely low-density residential densities.

*Minerals and soils.* Charlotte County has relatively few known commercially valuable mineral deposits (Map 3.18 Commercial Permitted Mining). Sand, lime rock, and shell deposits are located in the eastern area of the county and may be found on the Cape Haze Peninsula of West County. These products are used in the production of asphalt and road building. Material mined from scattered borrow pits in West County is used as fill for building pads, roads, parking lots and golf courses. Several commercial lime rock quarries are located on Cook Brown Road in East County. The county has no known phosphate, oil, or natural gas deposits that are extracted. The following map displays the known locations of commercially valuable minerals.

The topography of Charlotte County is relatively flat. Elevations range from sea level to approximately 75 feet in East County. The county has 63 different soil types according to the Natural Resource Conservation Service. For analysis in the Comprehensive Plan, the 63 categories have been narrowed to 16 groups with each group having similar characteristics (Map 1.13). Most of the soils are level, or nearly level, and poorly drained. Approximately 97% have severe limitations for septic tank usage - the use of septic tanks requires separation in accordance with state standards between the drain field and water table. Soil conditions for development range from severe to moderate for buildings without basements and small commercial buildings. Most soils have severe limitations for buildings with basements. The Natural Resources and Coastal Planning Element has a more thorough discussion of minerals and soils.

*Historic Resources.* Charlotte County has an interesting past that pre-dates the creation of the State of Florida. Archaeologists believe that Calusa Indians were the first settlers as long as 12,000 years ago. Today, many historic Indian middens and mounds have been located in the county. The county also has a number of historic cemeteries. These cemeteries, the Hickory Bluff, Indian Springs, Lt. Carl A. Bailey, and Southland Trail (El Jobean), add to the county's colorful past. Many of the historical resources are depicted on the historical map found in the Historic Preservation Element.

A community plan for Charlotte Harbor was adopted in November 1994. That area was also declared "The Charlotte Harbor Town Local Historic District" in January 1993. Historic sites within the district include: Knight Dock, Willis Store and home, Larrison-Roberts homes, Hagan-Larrison home, Wade-Vaughn home, Trinity United Methodist Church, and Pioneer Cemetery. Several other historic sites are included in the district.

The "El Jobean Local Historic District" was established in 2000. Contributing historic structures include the grand Hotel-El Jobean Fishing Lodge, the El Jobean Post Office and General Store, the Old El Jobean School House, the Adams House, and other historical homes built in the 1920s and 1930s.

The county has structures included on the National Register of Historic Places and properties listed on the Florida Master Site File. In addition to maintaining the Florida Master Site File, the Department of State's Division of Historic Resources reviews local government plans and local development projects for impacts to historic properties including archaeological sites. Charlotte

County's Historical Advisory Committee reviews development and construction proposals and advises the Board of County Commissioners and County staff regarding the potential effects of development activities on historical resources. The Historic Preservation Element describes historic and archeological sites in detail and includes maps of some of the sites. A comprehensive, countywide historical survey is needed to identify and map all sites accurately. A Local Historical Register should be established to list buildings, structures, objects, sites, and districts that have been designated as historically significant in the county. The table below identifies the sites listed on the Florida Master Site File. This list includes 16 properties listed on the National Register of Historic Places. Some of the sites are depicted on Future Land Use Map series #6; all known historical and archaeological sites deserve special consideration when developments that affect them are proposed.

<b>Table 1.13 Master Site File Historic Recorded Structures in Charlotte County*</b>					
<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>
CH00088	Freeman, A C House/639 E Hargreaves	CH00246	451 W Marion Ave.	CH00428	914 La Villa Rd.
CH00096	East Ann St.	CH00247	457 W Marion Ave.	CH00429	6427 Scott St.
CH00097	321 Ann St.	CH00248	461 W Marion Ave.	CH00430	6359 Scott St.
CH00098	401 East Ann St.	CH00249	508 W Marion Ave.	CH00431	6348 Scott St.
CH00099	438 West Ann St.	CH00250	520 W Marion Ave.	CH00432	6329 Scott St.
CH00100	319 Allen St.	CH00251	544 W Marion	CH00433	6323 Scott St.
CH00101	401 Allen St.	CH00252	566 W Marion Ave.	CH00434	6313 Scott St.
CH00102	208 Berry St.	CH00253	604 West Marion Ave.	CH00435	820 La Villa Rd.
CH00103	362 Berry St.	CH00254	620 West Marion Ave.	CH00436	6292 Scott St.
CH00104	415 Boca Grande Blvd.	CH00255	634 West Marion Ave.	CH00437	1005 La Villa Rd.
CH00105	309 Burland St.	CH00256	703 West Marion Ave.	CH00438	1517 La Villa Road
CH00106	329 Burland St.	CH00257	705 West Marion Ave.	CH00439	1615 La Villa Rd.
CH00107	300 Carmalita St.	CH00258	Johnson, W H/706 West Marion Ave.	CH00440	806 Carmalita St.
CH00108	302 Carmalita St.	CH00259	711 West Marion Ave.	CH00441	307 Bayshore Rd.
CH00109	415 Carmalita St.	CH00260	715 West Marion Ave.	CH00443	Charlotte High School
CH00110	621 Charlotte St.	CH00261	717 West Marion Ave.	CH00445	Villa Bianca
CH00111	122 East Charlotte St.	CH00262	817 West Marion Ave.	CH00459	Icing Station At Bull Bay
CH00112	526 East Charlotte St.	CH00263	911 West Marion Ave.	CH00460	Tower Bar
CH00113	120-122 Chasteen St.	CH00264	Leffins, T P/756 West Marion Ave.	CH00467	Nn
CH00114	111-117 Chasteen St.	CH00265	760 West Marion Ave.	CH00468	14403 Boston Rd.
CH000115	354 Cochran St.	CH00266	252 Mary St.	CH00469	14379 +/- Pambar Rd.
CH00117	105 Cross St.	CH00267	253 Mary St.	CH00470	El Jobean Post Office And General Store
CH00118	124 Cross St.	CH00268	504 Mary St.	CH00471	4340 Garden Rd.
CH00119	Temple/231 Cross St.	CH00269	Nesbitt St.	CH00472	4314 Garden Rd.
CH00120A	121 A Cross St.	CH00270	1 Nesbit St.	CH00473	4310 Garden Rd.
CH00120B	Dewey, Albert F121a	CH00271	Hotel Fountain/Old	CH00474	14200 Seaboard

<b>Table 1.13 Master Site File Historic Recorded Structures in Charlotte County*</b>					
<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>
	Cross St.		Punta Gorda Park		Lane
CH00121	Butler, Maxwell/105 Cross St.	CH00272	East Olympia Ave.	CH00476	Grand Hotel/4381 Garden Rd. Rd
CH00122	208 Cross St.	CH20073	Bethel A M E Church/E. Olympia Ave	CH00503	Mott Willis Store/22960 Bayshore Rd.
CH00123	Hardee, E G/219 Cross St.	CH00274	520 E Olympia Ave.	CH00511	5128 Melbourne St.
CH00124	Hardee, E G/223 Cross St.	CH00275	407 E Olympia Ave.	CH00512	5114 Melbourne St.
CH00125	220 Cross St.	CH00276	421 E Olympia Ave.	CH00516	156 Booth St.
CH00126	228 Cross St.	CH00277	604 East Olympia	CH00517	503 Charlotte Ave East
CH00127	260 West Olympia Ave.	CH00278	638 East Olympia Ave.	CH00518	414 DuPont St
CH00128	301 Cross St.	CH00279	615 East Olympia Ave.	CH00519	418 DuPont St
CH00129	305 Cross St.	CH00280	716 East Olympia Ave.	CH00520	318 Fitzhugh Ave.
CH00130	333 Cross St.	CH00281	Masonic Lodge/Clerk Of Circuit Court/116 W. Olympia Ave.	CH00521	514 Fitzhugh Ave.
CH00131	401 Cross St.	CH00282	Corbett House/212 W. Olympia Ave.	CH00522	610 Fitzhugh Ave.
CH00132	402 Cross St.	CH00283	E;Very, T T/209-213 W Olympia Ave.	CH00523	434 Ida Ave
CH00133	410 Cross St.	CH00284	215 W Olympia Ave.	CH00524	207 Marion Ave. East
CH00134	421 Cross St.	CH00285	Cavena Manor/259 W Olympia Ave.	CH00525	Laundromat & Lp Gas/211 E Marion Ave E
CH00135	421-B Cross St.	CH00286	364 W Olympia	CH00526	522 Marion Ave. East
CH00136	421-Ccross St.	CH00287	603 W Olympia Ave.	CH00527	358 Martin Luther King Blvd
CH00137	109 Durrance	CH00288	724 West Olympia Ave.	CH00528	410 Mary St
CH00138	117 Durrance St.	CH00289	509 Palm Ave.	CH00529	561 Mary St
CH00139	118 Durrance St.	CH00290	513 Palm Ave.	CH00530	Cooper St. Recreation Cntr/650 Mary St
CH00140	Hargrave, Carl/301 Durrance St.	CH00291	607 Palm Ave.	CH00531	653 Mary St
CH00141	212 Durrance St.	CH00292	Mclane, G H/501 Retta Esplanade	CH00532	Mcclusky Cpa/222 Nesbit St
CH00142	213 Durrance St.	CH00293	Butler, Maxwell/301 Retta Esplanade	CH00533	515 Olympia Ave. East
CH00143	221 Durrance St.	CH00294	Barnhill, Everett/321 Retta Esplanade	CH00534	521 Showalter St
CH00144	233 Durrance St.	CH00295	401 Retta Esplanade	CH00535	327 Virginia Ave East
CH00145	225 Durrance St.	CH00296	413 Retta Esplanade	CH00536	619 Virginia Ave East
CH00146	312 Durrance St.	CH00297	451 Retta Esplanade	CH00537	629 Virginia Ave

<b>Table 1.13 Master Site File Historic Recorded Structures in Charlotte County*</b>					
<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>
					East
CH00147	109 Dolly St.	CH00298	455 Retta Esplanade	CH00538	635 Virginia Ave East
CH00148	Leffins, T P/121 Dolly St.	CH00299	459 Retta Esplanade	CH00539	Smokehouse Rest/705 Virginia Ave East
CH00149	902 Elizabeth St.	CH00300	509 Retta Esplanade	CH00540	362 Charlotte Ave. West
CH00150	1104-1107 Elizabeth St	CH00301	551 Retta Esplanade	CH00541	207 Cross St.
CH00151	315 Fitzhugh St.	CH00302	565 Retta Esplanade	CH00542	Charlotte Academy School/324 Cross St.
CH00152	110 Gilchrist St.	CH00303	601 Retta Esplanade	CH00543	220 Durrance St.
CH00153	Price, Maxwell/115 Gilchrist St.	CH00304	613 Retta Esplanade	CH00544	319 Durrance St.
CH00154	Curry/359 Gill St.	CH00305	621 Retta Esplanade	CH00545	328 Durrance St.
CH00155	115 Gill St.	CH00306	507 Showalter St.	CH00546	302 Gill St
CH00156	108 Gill St.	CH00307	604 Showalter St.	CH00547	310 Gill St.
CH00157	116 Gill St.	CH00308	310 Shreve St.	CH00548	314 Gill St.
CH00158	122 Gill St.	CH00309	Punta Gorda Woman's Club/118 Sullivan St	CH00549	305 Goldstein St.
CH00159	Hinkley, S P/123 Gill St.	CH00310	Hendrickson Apartments/Sullivan St.	CH00550	411 Harvey St.
CH00160	Methodist Church-Residence/209 Gill St.	CH00311	Mental Health Center/112 Sullivan St.	CH00551	420 Harvey St.
CH00161	212 Gill St.	CH00312	219 Sullivan St.	CH00552	426 Harvey St.
CH00162	214 Gill St.	CH00313	225 Sullivan St.	CH00553	105 Marion Ave. West
CH00163	224 Gill St.	CH00314	231 Sullivan St.	CH00554	Peoples Agency, Inc/301 Marion Ave W
CH00164	Davis/360 Gill St.	CH00315	301 Sullivan St.	CH00555	306 Marion Ave. West
CH00165	502 W Marion Ave.	CH00316	308 Sullivan St.	CH00556	312 Marion Ave. West
CH00166	Cleveland, Jean House/509 Gill St.	CH00317	312 Sullivan St.	CH00557	460 Marion Ave. West
CH00167	512 Cross St.	CH00318	331 Sullivan St.	CH00558	Gator Petroleum/525 Nesbit St
CH00168	410 Gill St.	CH00319	322 Sullivan St.	CH00559	Marshall Investment And Tax Center/111 W Olympia Ave
CH00169	331 Goldstein St.	CH00320	403 Sullivan St.	CH00560	115 Olympia Ave. West
CH00170	231 Goldstein St.	CH00321	408 Sullivan St.	CH00561	361 Olympia Ave. West
CH00171	Hill, E D/210 Goldstein St.	CH00322	Charlotte County Courthouse/Taylor St.	CH00562	403 Olympia Ave. West
CH00172	212 Goldstein St.	CH00323	210 Taylor St.	CH00563	413 Olympia Ave. West

<b>Table 1.13 Master Site File Historic Recorded Structures in Charlotte County*</b>					
<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>
CH00173	Schoolhouse/215 Goldstein St.	CH00324	Charlotte Herald Building/216 Taylor St.	CH00564	420 Olympia Ave. West
CH00174	219 Goldstein St.	CH00325	Hector House/233 Taylor St.	CH00565	Deans South Of The Border Steak House/123 E Retta Esplanade
CH00175	220 Goldstein St.	CH00326	307 Taylor St.	CH00566	123h Retta Esplanade
CH00176	302 Goldstein St.	CH00327	311 Taylor St.	CH00567	Karl Ehmer Restaurant/115 Tamiami Trail
CH00177	327 Goldstein St.	CH00328	315 Taylor St.	CH00568	130 Tamiami Trail
CH00178	311 Goldstein St.	CH00329	321 Taylor St.	CH00569	Charlotte County Flowers/140 Tamiami Trail
CH00179	314 Goldstein St.	CH00330	Punta Gorda Atlantic Coast Line Depot/1009 Taylor St.	CH00570	JDs Lounge And Package Store/220 Tamiami Trail
CH00180	316 Goldstein St.	CH00331	1226 Taylor St.	CH00571	Greys Automotive Repair Center/236 Tamiami Trail
CH00181	324 Goldstein St.	CH00332	1301 Taylor St.	CH00572	Styles Of Punta Gorda/115 Taylor St
CH00182	Phillips, S C/229 Goldstein St.	CH00333	1305 Taylor St.	CH00573	329 Virginia Ave. West
CH00183	326 Goldstein St.	CH00334	1307 Taylor St.	CH00574	409 Virginia Ave. West
CH00184	639 Hargreaves St.	CH00335	1501 Taylor St.	CH00575	451 Virginia Ave. West
CH00185	110 Harvey St.	CH00336	607 Trabue Ave.	CH00576	457 Virginia Ave. West
CH00186	116 Harvey St.	CH00337	609 Trabue Ave.	CH00577	434 Ann St. West
CH00187	City Planning Dept/124 Harvey St.	CH00338	613 Trabue Ave.	CH00578	124 Berry St
CH00188	210 Harvey St.	CH00339	626 Trabue Ave.	CH00579	126 Berry St
CH00189	211 Harvey St.	CH00340	317 Virginia St.	CH00580	111 Chasteen St
CH00190	Sun Herald Building/216 Harvey St.	CH00341	524 W Virginia St.	CH00581	351 Chasteen St
CH00191	222 Harvey St.	CH00342	715 W Virginia St.	CH00582	359 Chasteen St
CH00192	224 Harvey St.	CH00343	215 William	CH00583	122 Dolly St
CH00193	228 Harvey St.	CH00344	301 William St.	CH00584	311 Gill St
CH00194	232 Harvey St.	CH00345	335 William St.	CH00585	403 Gill St
CH00195	227 Harvey St.	CH00346	502 King St.	CH00586	1215 Lemon St
CH00196	233 Harvey St.	CH00377	Placida Bridge	CH00587	513 Marion Ave West
CH00197	320 Harvey St.	CH00378	Placida Ferry	CH00588	615 Marion Ave West
CH00198	327 Harvey Street	CH00379	Willis Fish Cabin At Bull Bay	CH00589	635 Marion Ave West
CH00199	128 Herald Court	CH00380	West Coast Fish Co.	CH00590	144 McGregor St

<b>Table 1.13 Master Site File Historic Recorded Structures in Charlotte County*</b>					
<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>
			Residential Cabin		
CH00200	Garage/213 King St.	CH00381	Fish Shack	CH00591	260 McGregor St
CH00201	408 King St.	CH00382	Gasparilla Fish House	CH00592	503 McGregor St
CH00202	109 McGregor St.	CH00383	Placida Post Office	CH00593	312 Mckenzie St
CH00203	113 McGregor St.	CH00384	2130 La Villa Rd.	CH00594	360 Mckenzie St. West
CH00204	124 McGregor St.	CH00385	25 East Marion Ave.	CH00595	509 Olympia Ave West
CH00205	216 McGregor St.	CH00386	515 Drury Lane	CH00596	519 Olympia Ave West
CH00206	Mckenzie St.	CH00387	151 Charlotte St.	CH00597	608 Olympia Ave West
CH00207	105 Mckenzie St.	CH00388	2014 Poinciana Ave.	CH00598	611 Olympia Ave West
CH00208	109 Mckenzie St.	CH00389	2008 Poinciana Ave. 2000	CH00599	702 Olympia Ave. West
CH00209	119 Mckenzie St.	CH00390	Villa Bianco	CH00600	703 Olympia Ave West
CH00210	121 Mckenzie St.	CH00391	25000 Shore Dr.	CH00601	708-710 Olympia Ave West
CH00211	122 Mckenzie St.	CH00392	Elks Lodge	CH00602	717 Olympia Ave West
CH00212	120 Mckenzie St.	CH00393	26015 Shore Dr.	CH00603	524 Palm Ave.
CH00213	116 Mckenzie St.	CH00394	25472 Shore Dr.	CH00604	619 Palm Ave. West
CH00214	E Marion Ave.	CH00395	25472 1/2 Shore Dr.	CH00605	620 Palm Ave.
CH00215	East Marion Ave.	CH00396	25325 East Marion Ave.	CH00606	722 Palm Ave.
CH00216	Service Station/E Marion Ave.	CH00397	25280 East Marion Ave.	CH00607	724 Palm Ave.
CH00217	E Marion Ave.	CH00398	6104 Flora Ave.	CH00608	805 Retta Esplanade West
CH00218	Smith Arcade/121 E Marion Ave.	CH00399	2015 Myrtle Ave.	CH00609	610 Virginia Ave. West
CH00219	108 E Marion Ave.	CH00400	27470 Cleveland Dr.	CH00610	1210 Lemon St.
CH00220	141 E Marion Ave.	CH00401	27512 Cleveland Dr.	CH00611	1423 Taylor Rd.
CH00221	512 E Marion Ave.	CH00402	5201 Riverside Dr.	CH00612	110 Mckenzie St.
CH00222	616 East Marion Ave.	CH00403	27481 Misty Ave.	CH00613	233 Mckenzie St. West
CH00223	716 East Marion Ave.	CH00404	5111 Riverside Dr.	CH00614	1213 Orange St.
CH00224	City/326 W Marion Ave.	CH00405	5036 Riverside Dr.	CH00615	Pierce Service Co/1202 Tamiami Trail
CH00225	145 W Marion Ave.	CH00406	4363 Duncan Rd.	CH00616	Marlow-Werner Little Lot/1228 Tamiami Trail
CH00226	Goldstein Building/264 W Marion Ave.	CH00407	4111 Duncan Rd.	CH00617	Chevron Gas Station/1305 Tamiami Trail
CH00227	139 W Marion Ave.	CH00408	4013 Duncan Rd.	CH00618	213 William St.
CH00228	Methodist Church/507 W Marion Ave.	CH00409	4565 Duncan Rd.	CH00619	1521 Taylor Rd.

<b>Table 1.13 Master Site File Historic Recorded Structures in Charlotte County*</b>					
<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>	<b>Master Site File #</b>	<b>Location/Primary Name for Structure</b>
CH00229	135 W Marion Ave.	CH00410	River Beach Dr.	CH00620	353 Allen St.
CH00230	Old First National Bank Of Punta Gorda/133 W Marion Ave.	CH00411	14258 Coolge Rd.	CH00621	Busy Bee Early Learning Center/329 Allen St.
CH00231	111-113 W Marion Ave.	CH00412	Commercial St. And River Beach Dr	CH00622	325 Ann St. East
CH00232	117 W Marion Ave.	CH00413	Bass Marine Laboratory	CH00623	332 Carmalita St.
CH00233	119 W Marion Ave.	CH00414	Bass Marine Laboratory Shed	CH00624	401 Carmalita St.
CH00234	127 W Marion Ave.	CH00415	Bass Marine Laboratory House	CH00625	405 Carmalita St.
CH00235	141 W Marion Ave.	CH00416	Bass Marine Laboratory	CH00626	431 Carmalita St.
CH00236	Sandlin King/147-149 W Marion Ave.	CH00418	George Brown House	CH00627	509 Carmalita St.
CH00237	Hardware Store/208 W Marion Ave.	CH00419	Orr House	CH00628	521 Carmalita St.
CH00238	Blossom Shoppe/212 W Marion Ave.	CH00420	8040 Riverside Dr.	CH00629	322 Grace St.
CH00239	254 W Marion Ave.	CH00421	7930 Riverside Dr.	CH00630	1503 Narranja St.
CH00240	Bowling Alley/258 W Marion Ave.	CH00422	731 Solana Loop	CH00631	1601 Narranja St.
CH00241	363 W Marion Ave.	CH00423	801 Solana Loop	CH00632	1245 Taylor St.
CH00242	361 W Marion Ave.	CH00424	6261 Elliott St.	CH00633	Goldstein House/25385 E Marion Ave
CH00243	357 W Marion Ave.	CH00425	6265 Elliott St.	CH00648	23166 Bayshore Rd.
CH00244	415 W Marion Ave.	CH00426	6271 Elliott St.	CH00684	8019 Placida Rd. (Cr775)
CH00245	412 W Marion Ave.	CH00427	6285 Elliott St.		

Source: Florida Master Site File. Division of Historical Resources. September 26, 2005

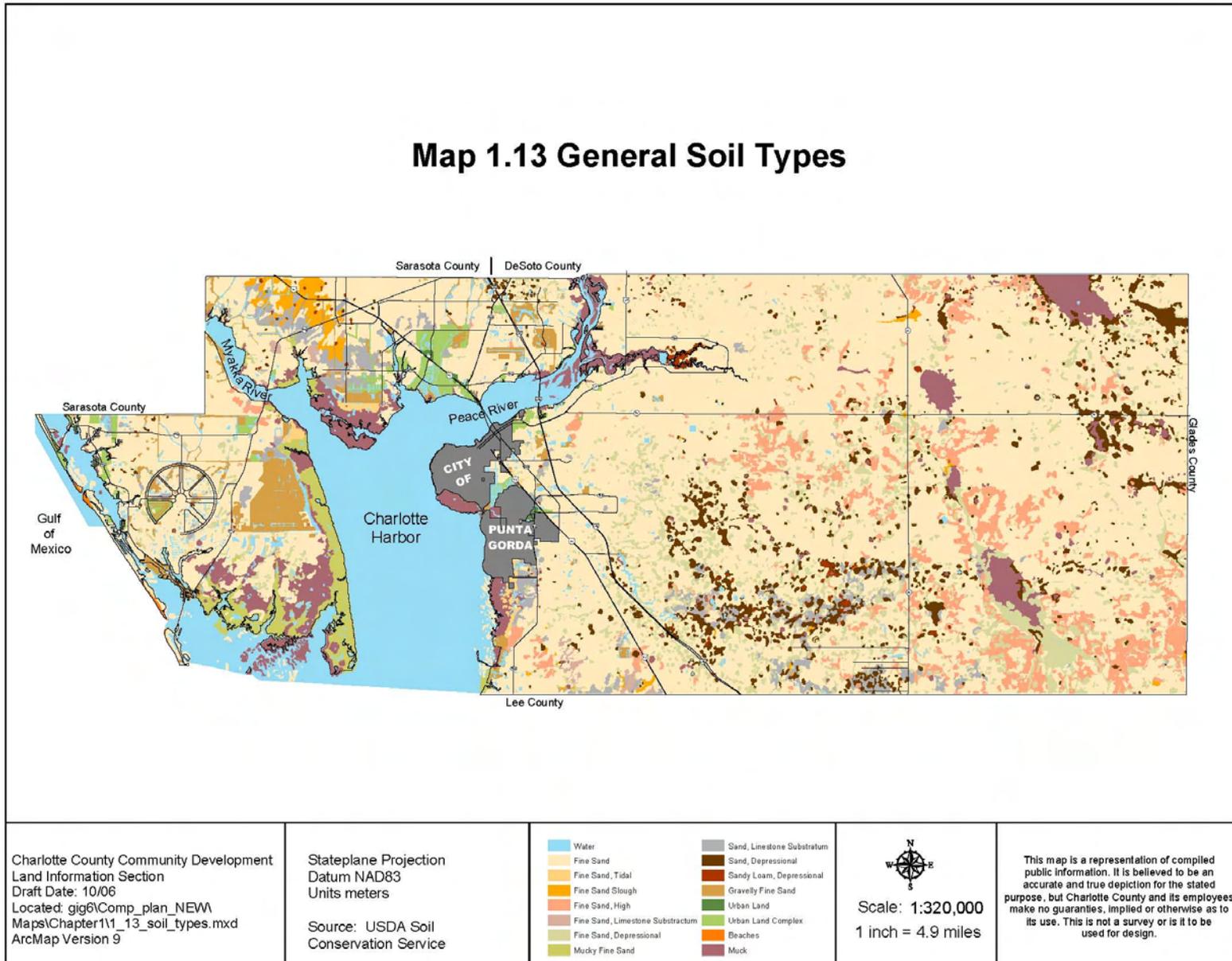
\*Note: The Florida Division of Historical Resources records property information as it is submitted, without verifying the jurisdiction (i.e. whether it is located within the City of Punta Gorda or unincorporated Charlotte County), so those recorded as Punta Gorda properties may in fact be located in the unincorporated area but within a mile of the city. A comprehensive survey of Charlotte County historical resources is needed to accurately determine properties that lie within each jurisdiction.

*Natural Resources.* Charlotte County is endowed with a wealth of natural resources. West County is bounded by the Gulf of Mexico, a chain of barrier islands, and aquatic preserves. Mid County is situated between two rivers, the Peace and Myakka, which form Charlotte Harbor. South County is bordered to the west by the harbor and is the home to a diverse range of wildlife. East County is primarily agricultural or undeveloped lands that are also home to various wildlife and fauna.

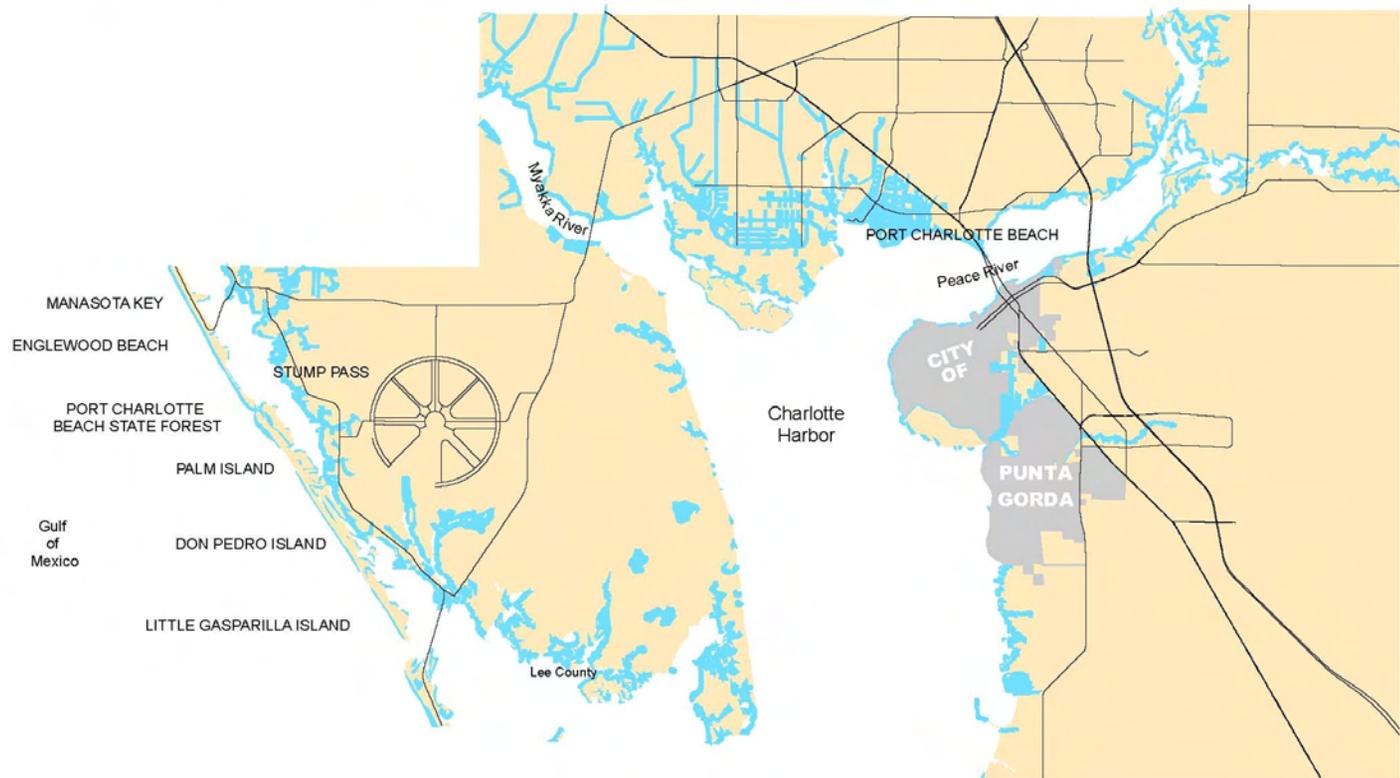
*Beaches, estuarine systems and shorelines.* Beaches located on the barrier islands are an important attraction for tourism, one of the county's primary economic bases. The following islands have beaches for public use: Gasparilla Island; bridgeless barrier island chain of Little Gasparilla, Don Pedro, Knight, and Bocilla Islands; and Manasota Key. Together, these islands provide approximately 12 miles of beaches. In addition, the county has many areas of estuarine

systems and over 100 miles of shoreline. Map 1.14 identifies the county's public beaches, estuarine systems, and shorelines.

## Map 1.13 General Soil Types



## Map 1.14 Charlotte County Beaches, Estuarine Systems & Shorelines



Charlotte County Community Development  
 Land Information Section  
 Draft Date: 10/06  
 Located: g:\g6\Comp\_Pan\_NEW\  
 Maps\Chapter\_1\1\_14\_Public\_Beaches.mxd  
 ArcMap Version 9

Stateplane Projection  
 Datum NAD83  
 Units meters  
 Source: Community Development

**Shoreline**  


  
 Scale: 1:205,984  
 1 inch = 4.9 miles

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no warranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.

*Water bodies* (Map 3.2 Major Surface Waters). The Lemon Bay Aquatic Preserve, Cape Haze Aquatic Preserve, and Gasparilla Sound-Charlotte Harbor Aquatic Preserve are three aquatic preserves encompassing water bodies in the Mid, South, and West County regions that are valuable commercial and recreational areas. Protection of these areas falls on state, federal and local governments.

In addition, the county has several other important water resources. They include the Peace and Myakka Rivers; Shell, Prairie, Ainger, Alligator, and Oyster Creeks; Telegraph Cypress Swamp; and Gator, Rainey, and Yucca Pen Sloughs. The Peace and Myakka Rivers are important for their fresh water flows into the Charlotte Harbor estuary. The Peace River is also an important source of potable water for the county. Shell and Prairie Creeks supply the potable water for the City of Punta Gorda and the service areas located in South County. The Telegraph Cypress Swamp is located on land owned and managed by the Babcock Florida Company in southeastern Charlotte County. It includes over 7,000 acres of marsh habitat and wetlands. The swamp is managed for conservation purposes and provides habitat for numerous wildlife and fauna species.

As pointed out above, Charlotte Harbor is formed by the convergence of the Peace and Myakka Rivers. It consists of over 100 square miles of brackish/salt water and habitat areas. In 1995, the harbor was designated a National Estuary Program (NEP), which is managed under the direction of the U.S. Environmental Protection Agency and the Southwest Florida Regional Planning Council.

## **J. Analysis of proposed development and redevelopment in flood prone areas**

**Flood plains.** The 100- and 500-year floodplains are identified on Map 3.12. The majority of land located within the floodplains is near water bodies and has been developed or subdivided. While it is in the best interest to minimize development within floodplains, past practices limit the county's ability to limit development since most of the land within them have been subdivided. Development within floodplains must meet strict building requirements consistent with the regulations of the Federal Emergency Management Agency (FEMA).

**Habitat areas.** The county is home to many lands that have been acquired by the federal and state governments as reserves, wildlife management, and recreational areas. These lands include the Island Bay National Wildlife Refuge, Fred Babcock-C.M. Webb Wildlife Management Area, Babcock Ranch, Charlotte Harbor State Reserve, Charlotte Harbor flatwoods, Charlotte Harbor Environmental Center, Tippecanoe scrub, Port Charlotte State Recreational Area, and Don Pedro State Park. The Natural Resources and Coastal Planning Element has a thorough discussion of habitat areas.

**Potable water wellheads and protection areas.** Many of the county's public potable water suppliers pump water from underground aquifers. These suppliers generally use reverse osmosis treatment facilities. Public potable water wellheads are mainly located in West and South County locations, although one supplier is located in Mid County. Map 1.15 identifies the locations in which wellheads are located in Charlotte County. Commercial and industrial

development applications that are located within 1,500 feet of a wellhead are reviewed in order to ensure that contamination of wellfields does not occur. The applicant must submit a pollution prevention plan to the utility operator, which must approve it. The last step in the process is staff review and a decision by the Board of County Commissioners prior to building permit issuance. The Infrastructure Element provides a more thorough review of potable water providers in the county. The Future Land Use Map series also includes a map depicting these locations, by which development proposals are reviewed to ensure protection of the potable water wellheads.

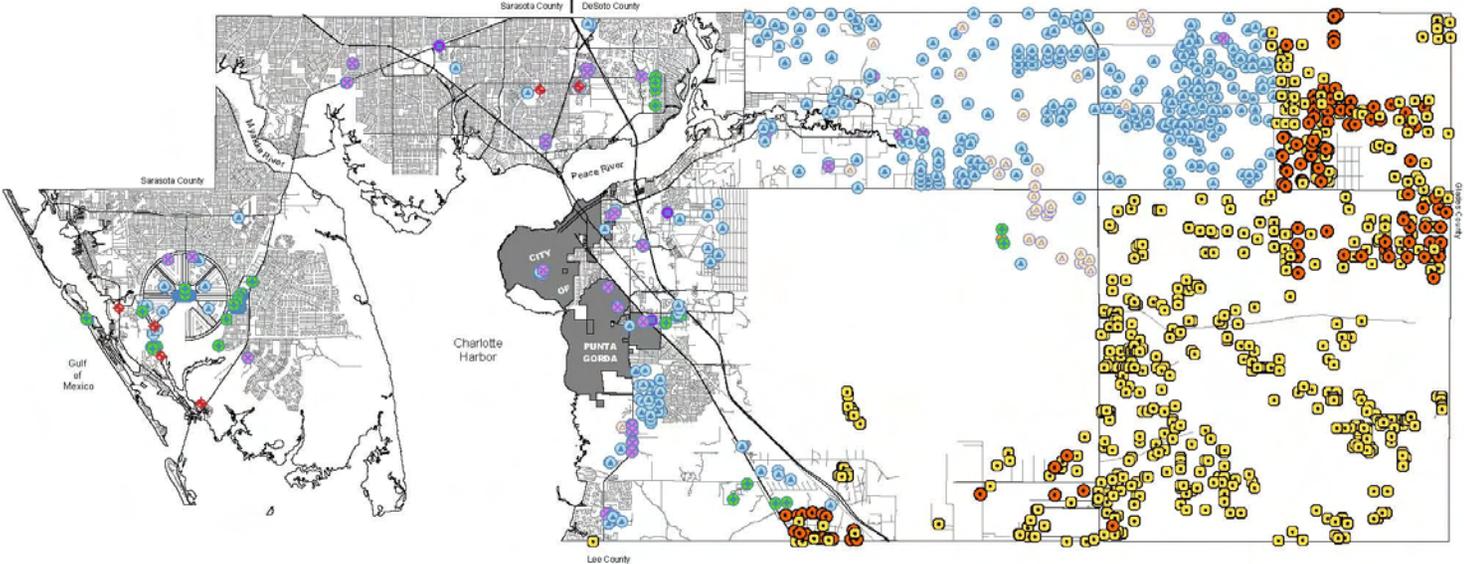
**Dredge Disposal Sites.** Rule 9J-5, Florida Administrative Code, requires local governments that have dredge disposal responsibilities to identify existing and future spoil sites. It has not been determined if Charlotte County has current dredge disposal responsibilities. Using information from the 1980s, Community Development Department staff identified several locations that have served as dredge disposal sites in the past. These are depicted on the following map (Map1.16). It is likely that these sites have not been used in many years for such a purpose.

The Venice-based West Coast Inland Navigation District (WCIND) is one regional agency, which has an interest in dredge disposal sites. Members of the district, which include Charlotte, Lee, Manatee, and Sarasota Counties, will be evaluating sites over the next several years and will be determining where dredge disposal sites should be located in the future.

**Marine Land and Water Use Siting Study.** Charlotte County contracted with the University of Florida to develop geographic information relating to marine land and water use sites. The study identifies locations in which marinas, boat docks, boat ramps, and other similar uses would be most appropriate in the county. Data evaluated in the study includes seagrass beds, manatee reports, land uses, and infrastructure such as roads. The county will utilize results of this study to develop a marine overlay district to designate locations that are most appropriate for construction of new marinas, boat ramps, and water recreational sites.

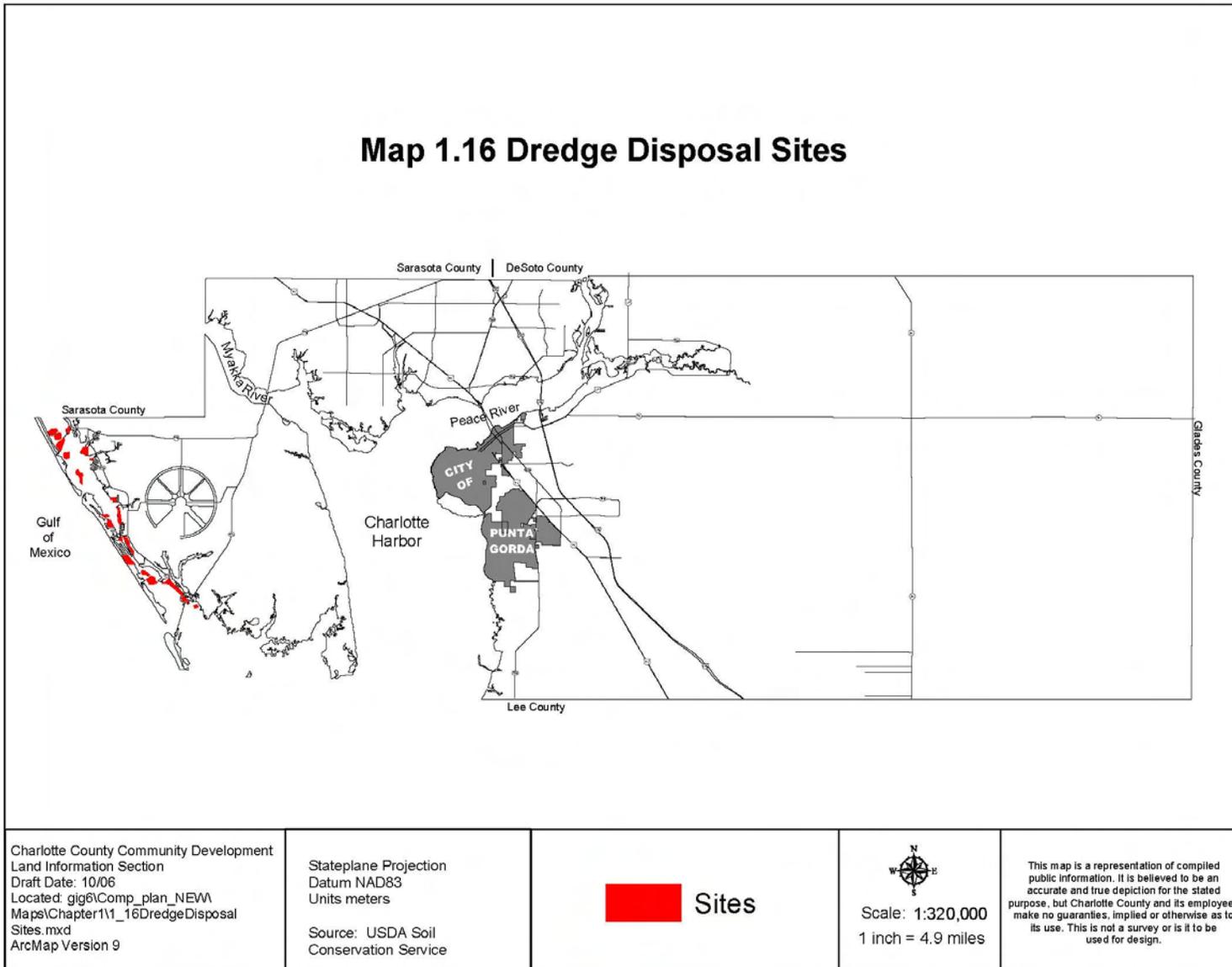
The study, completed in 1997, has not been adopted by the Board of County Commissioners. It is, however, being revisited through the cooperation of the departments of Parks, Recreation and Cultural Resources, Natural Resources, and Community Development with input from numerous Advisory Committees such as the Marine Advisory Committee. Information generated by the re-evaluation of the study can provide the basis for examining criteria for encouraging the preservation of recreational and commercial working waterfronts.

# Map 1.15 Potable Water Wellheads and Protection Areas



<p>Charlotte County Community Development Land Information Section Draft Date: 10/06 Located: g:\g\Comp_Plan_NEWMAPS Chapter_1\1_15_Wellsheads_Potable_Water.mxd ArcMap Version 9</p>	<p>Stateplane Projection Datum NAD83 Units meters</p> <p>Source: Charlotte County Community Development Water Management Websites (2005)</p>	<table style="width: 100%; border: none;"> <tr> <td style="border: none;"><b>SWFWMD Well Data</b></td> <td style="border: none;"><b>SFWMD Well Data</b></td> </tr> <tr> <td style="border: none;">● Essential Service</td> <td style="border: none;">● PUMP</td> </tr> <tr> <td style="border: none;">● Public Supply</td> <td style="border: none;">■ WELL</td> </tr> <tr> <td style="border: none;">● Irrigation</td> <td></td> </tr> <tr> <td style="border: none;">● Augmentation</td> <td></td> </tr> <tr> <td style="border: none;">◆ Effluent Waste Water</td> <td></td> </tr> <tr> <td style="border: none;">● Industrial</td> <td></td> </tr> <tr> <td style="border: none;">● Livestock</td> <td></td> </tr> </table>	<b>SWFWMD Well Data</b>	<b>SFWMD Well Data</b>	● Essential Service	● PUMP	● Public Supply	■ WELL	● Irrigation		● Augmentation		◆ Effluent Waste Water		● Industrial		● Livestock		<p>Scale 1:333,000 1 inch = 5.25 miles</p>	<p>This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.</p>
<b>SWFWMD Well Data</b>	<b>SFWMD Well Data</b>																			
● Essential Service	● PUMP																			
● Public Supply	■ WELL																			
● Irrigation																				
● Augmentation																				
◆ Effluent Waste Water																				
● Industrial																				
● Livestock																				

## Map 1.16 Dredge Disposal Sites



## **K. Analysis of Redevelopment Needs**

**Renewal of blighted areas.** Most development within Charlotte County has occurred over the last twenty-five years. Of the 79,758 dwelling units reported in the 2000 U.S. Census, almost 63% (49,893) had been constructed since 1980. This statistic reflects the generally good condition of the building stock; therefore, there is little need for redevelopment as a result of the classic blight and slum conditions. Nonetheless, there are areas of the county, which may display the appearance of blight.

The Charlotte Harbor area is one location that has symptoms of blight. In response to community-initiated actions, the county designated it a community redevelopment area and adopted a community plan in November 1994 to effect improvements. The plan includes a Future Land Use Map, which is a component of the Future Land Use Map series, and goals, objectives, and policies. The county began the implementation of the plan in 1996 by adopting a Charlotte Harbor Community Overlay District Code.

In the Murdock Circle area of the County a lack of development of platted lands has resulted in blight rising from: 1) site improvements and subdivision infrastructure that are physically and functionally deteriorating or obsolete; 2) faulty past subdivision layout in relation to size, adequacy or usefulness; 3) inadequate and outdated building density patterns; 4) flat or stagnating assessed property values; and 5) a diversity of ownership of thousands of vacant lots that contain rigid deed restrictions that impair innovative development.

Recognizing the importance of this tract of land to the continued economic viability of the County, the Board of County Commissioners took a proactive role in determining the future development of the tract. A redevelopment plan for the 1,100+ acres was completed, to identify a redevelopment process, and to determine the role County government should play in the tracts redevelopment. Through public meetings, the concept of a pedestrian friendly, mixed-use development with a town center and extensive green- and blue-ways was developed, and a proactive land acquisition and project management role for the County was identified.

To implement the "Murdock Village" concept the County has taken the following actions: 1) formed a community redevelopment area (CRA) and established a CRA Board; 2) adopted a development plan for the CRA; 3) drafted land development regulations for implementing the CRA development plan; 4) acquired the "Murdock Village" properties through "willing sales" and eminent domain proceedings; and, 4) issued a request for proposals (RFP) and draft redevelopment agreement.

In spring 2006, the BCC accepted a proposal for redevelopment. The redevelopment initiative creates the opportunity to reshape the economic and social core in the Murdock area and enhance Charlotte County from the redevelopment area along Toledo Blade Boulevard to the I-75 exchange to the north.

Other areas that display varying degrees of blight include Cleveland/Solana, Cooper Street (east of Punta Gorda near US 17), and El Jobean. Large amounts of private capital investment may be required to improve conditions. To date, none of the landowners in these areas has approached

the county regarding redevelopment. Any redevelopment activities should be privately sponsored or initiated. Charlotte County general government is willing to evaluate redevelopment propositions on an individual basis.

**Elimination or reduction of uses inconsistent with the community's character and proposed future land uses.** The county will continue to address inconsistency as it relates to future land uses in several ways. One method is the implementation of the Future Land Use Map through the zoning atlas changes and the development review processes. The county will issue development orders or permits only when a proposal is consistent with this comprehensive plan as specified in 163.3194, Florida Statutes. Additionally, within one year of adopting a revised comprehensive plan, the county will have reviewed its land development regulations to ensure consistency with the comprehensive plan as required by 163.3202, Florida Statutes. The county is reviewing its land development regulations in conjunction with the comprehensive plan and is considering a new Unified Development Code. The land development regulations will be one of the primary implementation tools used to ensure that inconsistent uses will be reduced.

The county has strict standards regarding non-conforming uses. In most cases, development proposals for existing uses that do not meet the standards of regulatory codes may not be expanded or improved upon. This encourages the elimination and reduction of inconsistent uses in the community. The county will continue to enforce such regulations into the future. There are two exceptions to this policy: (1) for the Charlotte Harbor redevelopment area in order to not substantially increase the burden of landowners affected by changes in some of the future land use classifications and (2) for Gasparilla Island under the Gasparilla Island Act.

#### **L. Analysis of proposed development and redevelopment based on recommendations in existing or future hazard mitigation reports**

Hurricane vulnerability is a major concern of Charlotte County since it is a coastal community. Most development is located on or nearby the coast because of various amenities, namely beaches and waterfront views. In order to evaluate the results of and prepare for storm events, the Southwest Florida Regional Planning Council prepared a *Hurricane Evacuation Study* covering the six counties within the region.

The study, updated for 2001, was developed using a storm surge model known as SLOSH (Sea, Lake, and Overland Surges from Hurricanes from the National Hurricane Center). The results of 727 simulations were summarized into five flood categories: tropical storm, category 1, category 2, category 3, and category 4/5. A zone was created illustrating the maximum extent of flooding resulting from all storms of a particular category. Map 1.17 identifies the lands within the various storm surge categories in the county.

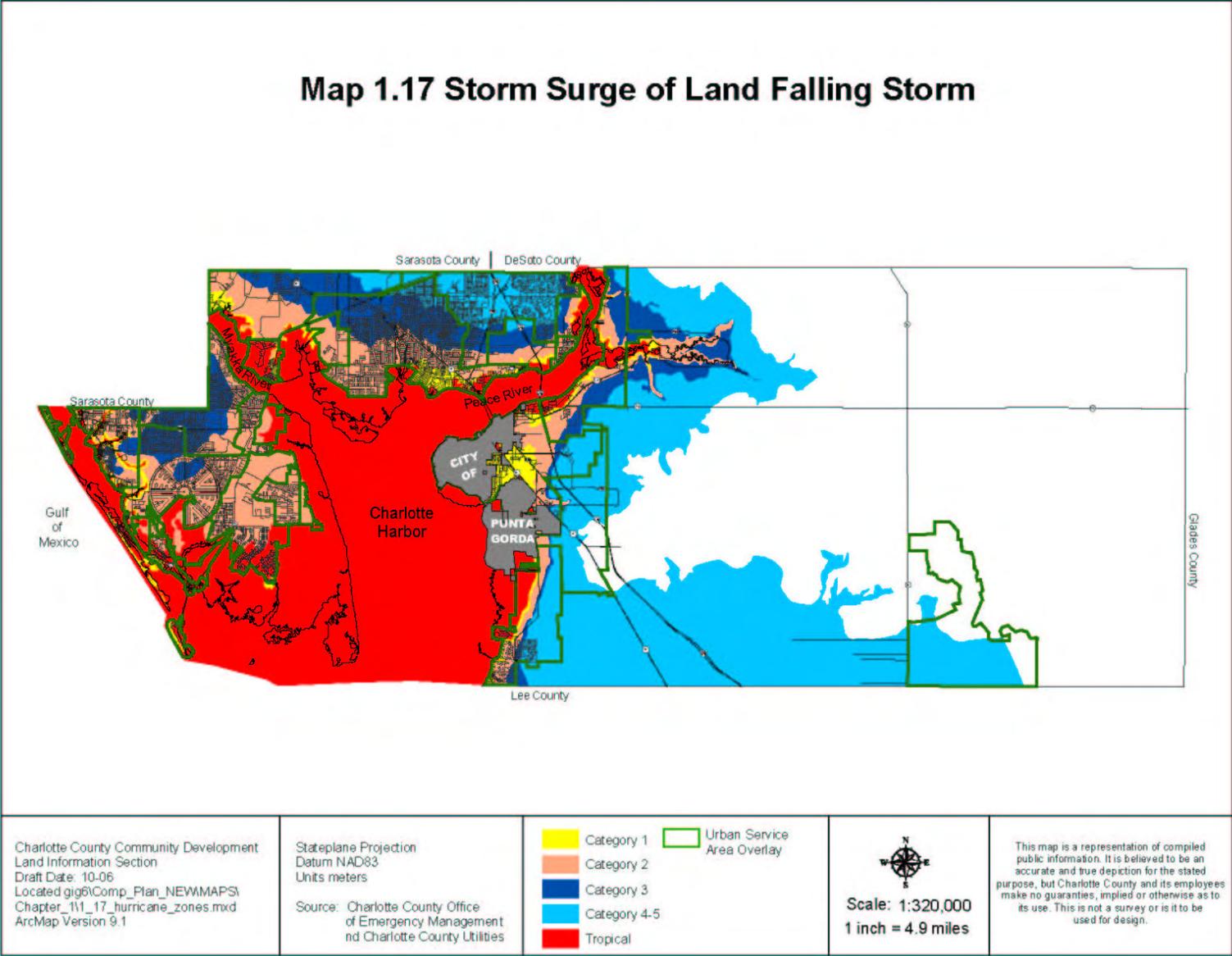
Land within the tropical storm and category 1 hurricane storm surge zones is classified as the Coastal High Hazard Area [9J-5.003(20), Florida Administrative Code] since these areas are the most vulnerable to flooding. State policies indicate that local governments should reduce the potential impacts to communities by limiting development and public expenditures within the Coastal High Hazard Zone.

In order to reduce the densities within the Coastal High Hazard Zone, Charlotte County limits the platting of new residential subdivisions to a maximum of three and one-half units per acre in the tropical storm and category 1 hurricane storm surge zones. By doing so, the county reduces evacuation times and the potential for property damage in comparison to allowing for higher density development. It also reduces the amount of infrastructure necessary to support the population in those areas.

Charlotte County also utilizes Flood Insurance Rate Maps (FIRM) from the Federal Emergency Management Agency (FEMA) and floodplain management information from the Division of Emergency Management of DCA. The FIRM maps identify areas that are susceptible to flooding because it lies within the 100-year and 500-year floodplains. The maps also designate areas that are located within coastal floodplains with velocity. During the development review process, Charlotte County ensures that new structures meet the minimum floor elevation standards established by FEMA and that special construction procedures are followed within velocity zones such as elevation with pilings or columns, breakaway walls, and other techniques.

A problem associated with development in flood zones is platted lands. Many subdivision lots are located nearby areas of water. Targeting such areas should be part of any platted lands acquisition program.

**Map 1.17 Storm Surge of Land Falling Storm**



## **M. Economic Base**

The primary reason for considering industrial land use growth in Charlotte County is economic development. Economic development can be accomplished several ways. First, it is the export of goods and services in order to import money to circulate in the local economy through "multipliers". Multipliers are money circulated through the creation of good-paying permanent jobs that allow discretionary family income to be used to purchase local goods and services, or money spent locally by the basic industry itself for required goods and services. Either way, multipliers are expressed as commercial and service jobs created by each job in the primary industry, and generally range from two to ten, depending on the characteristics of the primary industry and the local economy. Finally, industrial development creates community wealth by expanding and diversifying the tax base. Industrial development brings new wealth into the community that supports an array of local businesses and helps stabilize the tax base.

The January '96 University of Florida BEBR economic forecasts emphasize what is becoming clear in Charlotte County. Florida's "legacy industries" – agriculture, construction, and tourism, have long contributed to the foundation of the state's job creating capacity. Nevertheless, since these industries are driven primarily by the ongoing growth of the Florida market, they also have been subject to business cycles that typically resulted in significant increases in unemployment, along with reductions in revenue streams (taxes) to state and local governments. A common description of Florida's old economy was one of a three-legged stool. When one of these legs collapsed, the results were often disastrous. The state's traditional three-legged stool economy of tourism, retirement and agriculture will not be sufficient to support the high population growth rate of SW Florida. This is a "third world" economic base that does not offer enough middle-class jobs to satisfy the huge - and growing - number of college graduates, which results in our educating people to work and spend their income elsewhere. Further, the state's budget depends on sales taxes imposed on free-spending tourists, which many forecasters expect to level off in the future.

Florida's highly diversified economy will continue to expand and create jobs at a much higher rate than the national economy and those of our neighbors. Much of that job growth, perhaps as high as 80 percent, will occur in agriculture, construction, and tourism. The focus of Charlotte County's Economic Development Office is on the remaining 20 percent, as the mission of the office to diversify the economy to provide upwardly mobile opportunities to both current and future residents to stabilize and to enhance current and future revenue streams.

Charlotte County led the nation in population growth during the 1980's with a 9% per year increase. Southwest Florida is projected to continue to have one of the highest growth rates in the State for at least the next 10 years. Recently, growth has tapered off in Charlotte County, down to about 2% increase last year, which more closely follows the percentage increases in the four other coastal counties in SW Florida. The University of Florida BEBR projects our County's median age will increase from 54.3 in 2000 to 56.7 in 2000 to 40.8 in 2010. One indication of this trend may be that our school enrollment has declined. The Charlotte County School Board reports that it expects 1,000 fewer students (due to dislocations from Hurricane Charlie) in the 2006 – 2007 school year, down 5.4% from about 18,300 during the 2005 – 2006 school year. Student population in Charlotte County increased by about 14% from the 1996 –

1997 school year to the 2005 – 2006 school year. BERB estimates that the County’s population increased by about 2% annually over the last ten years versus a 1.5% annual increase in student population.

Clearly, these population changes have influenced, and will continue to impact, the character of our communities, the use of our land, and the structure of our economy. Responding to demographic projections requires diversifying the economic base, increasing opportunities for employment and higher earnings, reducing economic disparity, and fostering the maintenance and expansion of agriculture and related industries.

The income pattern for Charlotte County lacks extremes. The 2000 Census reports that 10.1% of households are below the poverty line (the 14<sup>th</sup> lowest in the State), and only 14% have incomes in excess of \$75,000 (Statewide is 19%). As might be expected, we have a low labor force participation rate – 43% in 2000 compared to 60% State-wide. The 2003 US Census of County Business Patterns reports the about 70% of the persons employed in the County work in health care and social assistance (24.8%), retail trade (23.9%), accommodation and food services (11.1%), and construction (9.7%). Statewide the same four categories employ about 43 percent of the working persons.

Unfortunately, retail, services, and construction are three of the four lowest paying categories - the fourth is agriculture, which has less than 1% of employment. The highest paying employment categories are FIRE (finance, insurance, real estate), wholesale, and manufacturing. These jobs comprise 5% of the total employment in Charlotte County compared to 7% Statewide. Average salaries in Charlotte County lag the State by 22% and Sarasota and Lee counties by 13%. As shown in Tables 1.14 and 1.15, property values, measured by median home sales prices and total just valuation per person, are lower in Charlotte County than in Sarasota and Lee Counties. From 2000 to 2005, the median sales price in Charlotte County increased at a greater percentage than in Lee and Sarasota Counties reducing the gap. In 2000, median sales price in Charlotte County was 24% less than in Lee County and 38% less than in Sarasota County. As of 2005, median sales price in Charlotte County was 22% less than in Lee County and 33% less than in Sarasota County.

<b>Table 1.14 Median Sales Price</b>			
<b>County</b>	<b>2000</b>	<b>2005</b>	<b>% Change</b>
Charlotte	85,800	216,300	152.1
Lee	112,300	278,200	147.7
Sarasota	138,000	322,700	133.8

Source: Florida Association of Realtors

From 2000 to 2005, total just valuation in Charlotte County increased at a greater rate than in Sarasota County. In both 2000 and 2005 Charlotte County’s total just valuation was about 66% of the total just valuation in Sarasota County’s. From 2000 to 2005, total just valuation in Charlotte County increased at a lesser rate than in Lee County. As of 2005, total just valuation in Charlotte County was 73% of the total just valuation in Lee County, up from 70% in 2000.

<b>Table 1.15 Just Valuation</b>					
	<b>2000</b>		<b>2005</b>		
<b>County</b>	<b>Total</b>	<b>Per Person</b>	<b>Total</b>	<b>Per Person</b>	<b>% Change in Total</b>
Charlotte	9,497,812,520	67,062	21,061,621,462	133,694	121.8
Lee	32,310,620,462	73,285	78,804,626,210	142,052	233.9
Sarasota	28,256,271,308	86,687	62,014,707,687	169,320	119.5

Source: Florida Department of Revenue

The economic makeup of the County also affects the tax base. Most fiscal analysis of the impact of differing land uses on local government services and revenues have found that residential land uses do not really pay their own way. The Florida Department of Revenue reports that as of 2005, 66% of Charlotte County Just Value is derived from residential properties. State-wide about 55% of the Just Value is from residential properties. Since we have so little Industrial and Commercial properties to spread taxes over, residents in Charlotte County pay a proportionately higher share of taxes. By way of example, non-residential properties generate very little demand for services like EMS or schools, yet they contribute a large share of the taxes for these services. However, Charlotte County does enjoy a low millage (17<sup>th</sup> lowest of 67 counties for 2005 according to the Florida Department of Revenue) and some much more industrialized counties have higher millage, which indicates that the relationship between development and tax rates is complicated. (About 16% of Charlotte County's Assessed Valuation is exempt from property tax, an amount fairly consistent with the rest of Southwest Florida.)

Other Southwest Florida counties have been more active in trying to attract economic development to create more year-round good-paying jobs and broaden their tax base. Lee County has a \$1.6 million (annual costs) Economic Development program and the County funds \$1.2 million. The County offers incentives for reimbursement of project related expenses such as employee training, impact fees, infrastructure credits per every new job over 115% of median income. Lee County has been successful in attracting the Sony Corporation national customer information center, Sims-Intertech Resources (medical devices) and Baader North America Corporation (manufacturing). Sarasota County's Economic Development Program is funded with about \$500,000 from the Occupational License Fee. In addition, the County and each municipality provide \$1.00 per capita for another \$350,000 from the public sector. Private sector funds from investors, events, and grants provide additional funding. Road Impact fee credits are provided to firms creating primary jobs with salaries above the County median income. Since 1997, Collier County's program is funded 40% by the private sector with the County contributing the additional funds, which was \$400,000 in 2005. Manatee County's program includes \$157,000 from the County, \$15,000 from the Port Authority, City of Palmetto - \$7,000, the City of Bradenton - \$10,000, and the remaining budget is from investor dues.

If Charlotte County cannot also succeed in attracting good paying jobs and expanding its tax base, it could be pushed further into the fiscal dilemmas of a bedroom community. The Charlotte County Economic Development Council's June 1995 economic baseline report deduced that the preceding facts leave the County in a precarious economic position. "It is

facing significant demands for capital improvement projects (due in part to its previously high growth rate and infrastructure difficulties), but its ability to raise the necessary revenue is severely limited by a voluntary cap on property tax increases, and an over dependence upon a residential tax base." The report observes that (the County's) "ability to expand the tax base through more industrial development is handicapped by a shortage of utility served sites, a modestly-skilled manufacturing workforce, a weak marketing and economic development program, and a lack of advanced manufacturing and technical vocational-technical training."

Finally, the report concludes that: "It will be very difficult, and probably impossible, for the county to meet its future expenses with a tax base that is overly dependent upon residential ratables. More industrial and commercial ratables are needed." The report noted that more utility served industrial and office site and buildings are needed if the community is going to be competitive. "Provision for more office and industrial space needs to be made in a new, updated comprehensive plan." The following specific land use needs were cited:

- There is a shortage of manufacturing parks that are full utility and rail served.
- There also is a shortage of industrial sites that are utility and rail served.
- There is a need for office or mixed-use parks.
- The industrial properties at the Enterprise Charlotte Airpark can only be leased. More companies prefer to own than lease their buildings.
- Private properties by the airport are priced too high for the local and regional market. These high prices limit the community's ability to attract new companies.

In response to these needs, in fiscal year 1996, Charlotte County contributed financially for the first time to the operations of the Charlotte County Economic Development Program. The County limited its participation to matching private sector funds up to \$125,000, and required the Council to prepare and implement a 5-year Economic Development Master Plan and a concurrent Marketing Plan. Most of the Economic Development Council Master Plan's beginning Objectives involve start-up funding and communications. However, by the last quarter of FY96 some progress was also reported on those objectives for establishing incentives for new business and industry locations, and for increasing the availability of industrial acreage that is properly zoned and designated, served by needed utilities and suitable for industrial use.

Using the Community Development Department's new computerized Land Information System, the Economic Development Council identified several large vacant land clusters totaling roughly 1000 acres of additional potential office park and light industry as illustrated on Map 1.18. These vacant lands have the following common characteristics that meet the County needs study:

- They are located within a mile from one of four I-75 interchanges to maximize interstate commerce and minimize impact on local streets.
- Two of the sites are adjacent to the airport and have nearby rail service.
- They are located within about a mile of existing water and sewer service areas as well as indicated by the most recently available utility data.
- The County could extend sewer and water service to sites in these clusters in exchange for an agreement with a clean light industry to locate there - the extension cost being partially offset in the near term by mandatory connection fees to

developed properties along the extension, and in the long term by increased sales and property tax revenue.

- They were designated "Commercial" on the 1988-1996 Future Land Use Map.

Planning for Industrial use of these sites, especially Light Industry, Office or a mixture of the aforementioned has at least the following advantages over the 1988-1996 adopted planned Commercial:

- Clean Light Industry and Office land uses generally put less demand on infrastructure - parking, roads, water and sewer than Commercial land uses.
- In contrast to Commercial uses, such Light Industry land uses do not operate during evening hours, making them easier to buffer from adjacent residential uses due to lack of traffic, noise and glare from floodlit parking lots.

Many communities subsidize the extension of sewer and water service to such sites in exchange for an agreement with a clean light industry to locate in those locations - the subsidy being partially offset in the near term by mandatory connection fees to developed properties along the extension, and in the long term by increased utility revenues plus sales tax and property tax receipts. In Charlotte County's case, a source of funds for a subsidy has yet to be determined. For Charlotte County, providing an additional 1,000 acres of vacant private property for industrial use could help alleviate any potential artificial scarcity of industrial sites that may contribute to the high land prices cited in the base study.

The Future Land Use Map reflects many of these concepts. It helps implement Strategy #17 to focus on specific county sites that present the easiest utility development scenario and develops methods for accelerating the installation of required utilities to site to achieve the Economic Development Council's 5-year Plan Strategic Goals to:

- Assist existing business and industry to expand and encourage local entrepreneurial development initiatives.
- Attract new value-added business and industry.
- Foster the development of infrastructure needed to support business and industry growth.

Recognizing the need for economic development, an Economic Development Office was established in 2001. Of the County funded Economic Development Office has completed the following.

- Staffed the office and Enterprise Charlotte advisory board.
- Approved and implemented an Economic Development Marketing Plan.
- Formed task forces to review impact fees and incentives. Recommendations were made to the Board of Commissioners for an improved Economic Development.
- Created an Education Task Force to bring business and educational leadership together to create awareness of business needs and educational programs available.

- Created Enterprise Charlotte Airport Park district for commercial/office development.
- Allocated sales tax dollars for Piper Road transportation improvements and for economic development initiatives.
- Adopted an inter-local agreement with Charlotte County Airport Authority for economic development partnership.
- Identified target industries.

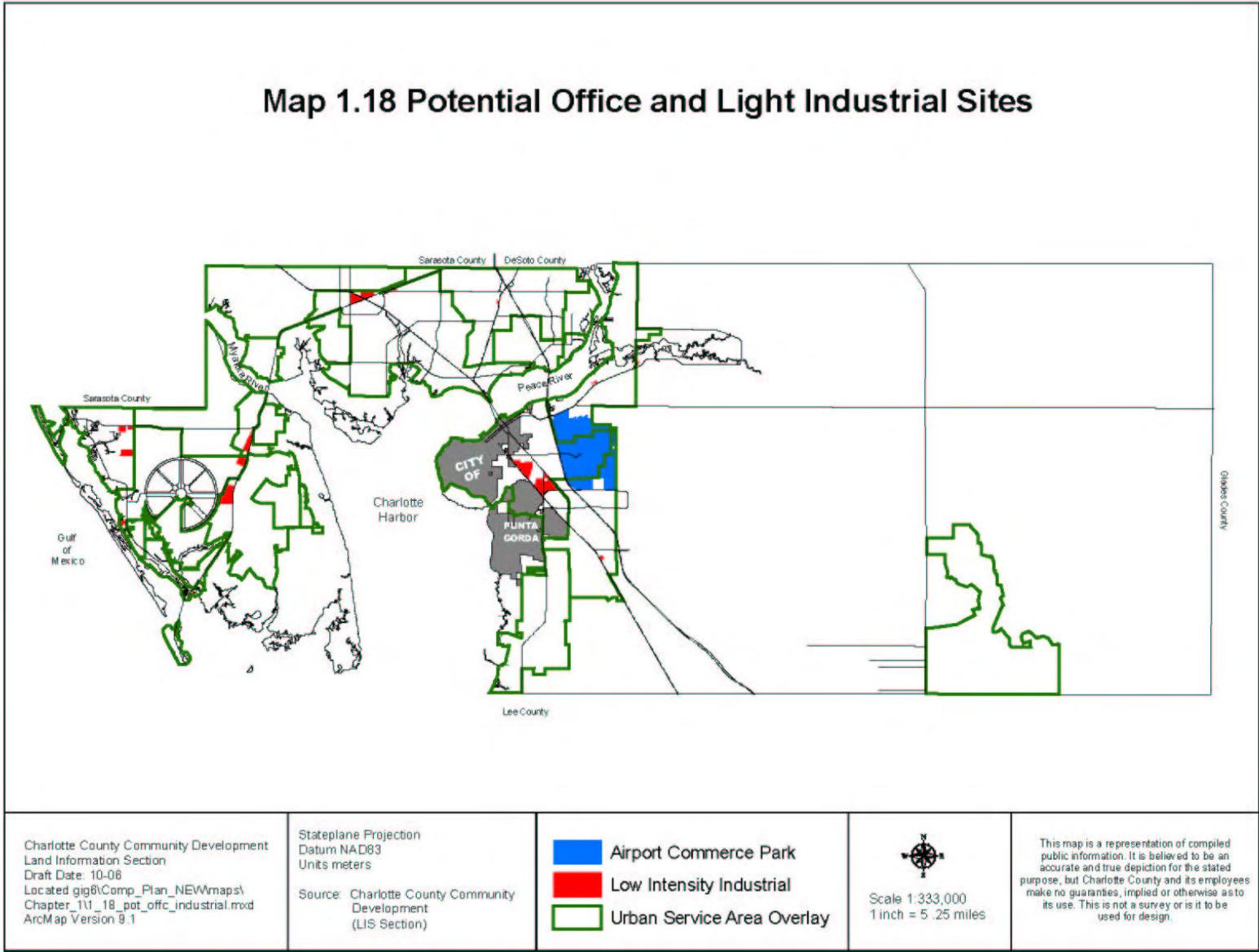
On going initiatives of the Economic Development Office:

- Brownfield Area Incentive Program in place for areas within Enterprise Charlotte Airport Park
- Partnerships with Enterprise Florida for site consultant events
- Enhance marketing tools, i.e., Demographic Profile, Business Assistance Guide, Quality of Life and Direct Mail
- Upgrade research abilities and data base information for site and building inventory
- Increase targeted business outreach and expand target industries
- Promote innovative workforce and education approaches
- Continue Industry Appreciation and Enterprise Charlotte annual meeting
- Continue outreach to existing businesses, as well as assist in expansions of existing businesses
- Continue to work to identify potential sites/areas for commercial/industrial properties, rezone as appropriate

Economic base analysis is useful in the planning process in that employment projections are useful in determining the amount land needed in the future. It is also indicative of the infrastructure and service requirements needed, and is useful in developing economic strategies.

An analysis of the local economy indicates that overall employment is concentrated in the retail, construction, and service industries. Industries and employment are classified as either basic or non-basic in economic base theory. Basic industries export products and services, thereby bringing money into a local economy. This export income is essentially, what drives a local economy. Non-basic industries serve the local economy and, simply stated, circulate money brought in by basic industries.

### Map 1.18 Potential Office and Light Industrial Sites



The last column of Table 1.16 is where employment should be for the local economy to have a more balanced mix if basic and non-basic industries.

Comparing the local economy's quotients with that of the nation, it is apparent that future economic prerogatives must favor the overall development of basic industries as see in the disparity between required employment and actual employment particularly in manufacturing, wholesale trade, transportation and warehousing, and information.

Two methods were used to determine basic employment in Charlotte County - the location quotient and minimum requirements methods. These methods provide an estimate of basic sector employment and do not represent all employment in the county.

Once basic employment was determined, two methods were used to project basic employment for the county to the year 2015. The Share and Shift-Share methods use economic projections for larger areas of which Charlotte County is a segment and allocate a share of new job growth to the county. For this analysis, Charlotte County's basic employment was projected for 2015. The results project that the county's basic employment sector would grow primarily in the following industries: agriculture, forestry, and fishing; retail trade; services; government (federal and state); and non-earned income (primarily transfer payments resulting from retirees). The following tables summarize the county's 2006 basic employment and projected employment for 2015.

**Table 1.16 2006 Base Employment Numbers**

NAICS	Industry	Florida Quotient	US Quotient	Charlotte 2005 Actual Quotient	Charlotte 2005 Employment	Charlotte 2006* Minimum
11	Agriculture	1.38	1.05	nd	591	<b>436</b>
21	Mining	0.08	0.51	nd	na	<b>212</b>
22	Utilities	0.36	0.5	0.14	48	<b>208</b>
23	Construction	8.64	6.57	15.96	5,480	<b>2,727</b>
31-33	Manufacturing	5.95	12.83	2.59	889	<b>5,324</b>
42	Wholesale trade	5.03	5.2	1.84	632	<b>2,158</b>
44-45	Retail Trade	14.69	13.79	22.41	7,695	<b>5,723</b>
48-49	Transportation and Warehousing	3.13	3.7	1.14	391	<b>1,536</b>
51	Information	2.51	2.76	1.72	591	<b>1,145</b>
52	Finance and Insurance	5.27	5.34	3.66	1,257	<b>2,216</b>
53	Real Estate and Rental and Leasing	2.56	1.92	3.03	1,040	<b>797</b>
54	Professional Scientific and Technical Services	6.39	6.38	4.37	1,501	<b>2,648</b>
55	Management of Companies	1.07	1.58	0.21	72	<b>656</b>
56	Management and Remediation Services	12.4	7.3	4.26	1,463	<b>3,030</b>
61	Education Services	1.42	1.94	0.4	137	<b>805</b>
62	Health Care and Social Assistance	12.07	12.96	20.8	7,142	<b>5,378</b>
71	Arts, Entertainment and recreation	2.53	1.69	1.96	673	<b>701</b>
72	Accommodation and Food Service	10.69	9.83	9.66	3,317	<b>4,079</b>
81	Other Services (except Public Administration)	3.63	3.91	3.65	1,253	<b>1,623</b>

\* Based upon August 2006 AWI employment of 41,500, using US quotients

Source: BLS Quotient Calculator, Agency for Workforce Innovation

<b>Table 1.17 Basic Employment Projections, 2015</b>			
<b>SIC Code</b>	<b>Industry Class</b>	<b>Share Method</b>	<b>Shift-Share Method</b>
A	Agricultural Services, Forestry, and Fishing	75	88
C	Construction	7	0
D	Manufacturing	0	0
E	Transportation and Public Utilities	0	0
F	Wholesale Trade	0	0
G	Retail Trade	2,049	2,183
H	Finance, Insurance, and Real Estate	0	0
I	Services	3,294	3,947
	Government	1,124	1,548
	<b>Subtotal</b>	<b>6,549</b>	<b>7,766</b>
	Surrogate Non-earned Income Jobs	37,834	37,834
	<b>Total</b>	<b>44,383</b>	<b>45,600</b>

Source: Charlotte County Community Development Department, August 1996.

## **N. Developments of Regional Impact**

A Development of Regional Impact (DRI) is a large-scale development project that affects more than one community because of its size or character. Having recognized the impacts associated with large developments, the Florida Legislature created the DRI process (Chapter 380.06, *Florida Statutes*) in 1973, making Florida the first state to adopt the American Law Institute's model for the review of large developments. Rule 9J-2.040, *Florida Administrative Code*, implements 380.06, *Florida Statutes*, in order "to protect the natural resources and environment of Florida, to ensure a water management system that will reverse utilization of limited water resources, to facilitate orderly and well-planned development and to protect the health, welfare, safety and quality of life of the residents of Florida by authorizing the state land planning agency to establish land and water management polices to guide local decisions relating to growth and development."

In Charlotte County, a project is determined to be a DRI when it exceeds a certain numerical threshold such as 1,000 dwelling units for residential use, 400,000 square feet for commercial development, or 600 hospital beds. The thresholds are established consistent with the intensity of the land use(s) and the impact that the development is likely to exert on existing infrastructure and the environment. There are nine DRIs approved for Charlotte County (Table 1.18). Some of the developments are approved by a single development order, and some developments are approved by a master development order followed by increments (see Murdock Center DRI has four increments and Riverwood DRI has two increments).

Most of the projects are multi-use. They account for approximately 5,671 acres of land in Charlotte County, projecting a total build out population of approximately 37,000 people.

<b>Table 1.18 Charlotte County Developments of Regional Impact</b>			
<b>DRI</b>	<b>Projected Buildout Date</b>	<b>Projected Population</b>	<b>Acreage</b>
Caliente Bay (Tern Bay)	1993-2012	3,950	1,778
Charlotte County Airport, Stage 1	1978-1996	N/A	N/A
Deep Creek Gardens	1988-1992	1,437	46
Harborview	2007-2011	2,700	514
Maple Leaf	1978-1980	2,452	280
Murdock Center*	1992-2008	7,025	646
Riverwood**	1990-2010	7,160	1,265
Sandhill	1981-2001	9,250	727
Victoria Estates	1989-2000	3,400	421

Source: Southwest Florida Regional Planning Council 2005 Annual Report, modified Charlotte County Community Development June, 2006.

\* Includes the master development order and four increments

\*\* Includes the master development order and two increments

The *DRI Application for Development Approval (ADA)* provides a description of the project and a revenue generation summary. It addresses vegetation and wildlife, wetlands, soils, floodplain, water supply, wastewater management, stormwater management, solid waste, hazardous and medical waste, transportation, air quality, hurricane preparedness, housing, police and fire protection, recreation and open space, education, health care, energy, and historical and archaeological sites. The ADA may also request information pertaining to airports, attractions, recreation facilities, hospitals, industrial plants, industrial parks, mining operations, petroleum, storage facilities, port and marina facilities, and schools when applicable.

All terms and conditions presented in the ADA are reviewed for sufficiency by the State, the region planning council, and local governmental agencies. The public is encouraged to participate at public hearings. The ADA requires the developer to list existing facilities and their capacities, and to project the development's consumption of that capacity. The Board of County Commissioners adopts the final terms and conditions for development approval by resolution, in a DRI development order.

*The DRI Development Order.* The development order is a formal document that generally provides phasing and a timetable for completion of the project. It contains conditions for development approval for each site within the project and provisions for addressing the whole project. The development order ensures that the developers pay their fair share of the cost to provide infrastructure improvements. The development order ensures that all adverse impacts of the project are properly mitigated. Through the development order, or by a separate developer's agreement, the developer is responsible to contribute to any expansion of facilities that might be necessary because of the project and ensures that an adequate level of service is maintained on the impacted roads through buildout of the project.

Impacts to the environment such as wetland mitigation; capital improvements such as roadway expansion and construction; and public services such as fire protection, adequate school facilities, or disposal of solid waste could require contributions of land or other means of mitigation. Public safety needs, such as hurricane evacuation and sheltering needs, are evaluated and mitigated as conditions in the development order.

The development order requires an annual monitoring report, which details all development activity from the previous year. Special annual reports such as traffic monitoring and water quality monitoring reports may also be required. Development orders frequently contain provisions to halt development if impacted roads fall below the acceptable LOS.

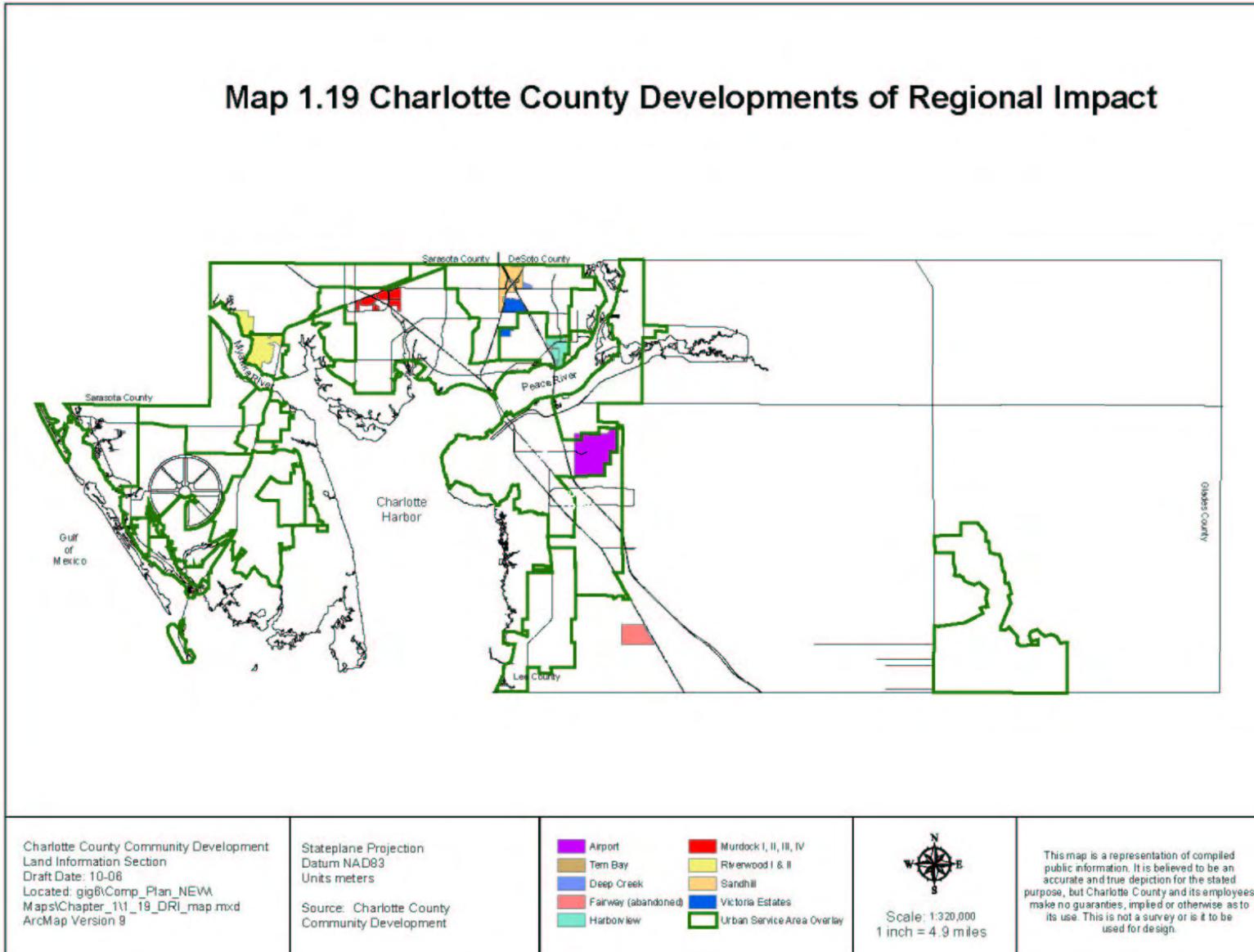
Developments of Regional Impact are represented on the Future Land Use Map as Mixed Use Districts since many are multi-use developments. They are differentiated by the name that is placed on the map. Development within a DRI is limited to the uses approved in the master development order and its accompanying map(s). The DRI maps are incorporated as part of the Future Land Use Map series.

Most DRI projects in Charlotte County are governed by a single development order. However, the Murdock Center DRI and Riverwood projects chose to use the master/incremental approach. In the master development order, the project is approved conceptually. A development order is adopted that sets forth the provisions and requirements that are to be satisfied by each increment. These are used for very large-scale projects.

The develop order does not release the applicant from any burden or responsibility to comply with local ordinances and resolutions. Except as specifically stated in the development order, the applicant will comply with all local land development regulations. The applicant will receive credit for any contribution of land or construction of a public facility or other mitigation action, which is specifically performed to satisfy a condition of the development order approval.

Eleven DRIs have been approved in Charlotte County - one has been completed and two abandoned. The following map (Map 1.19) identifies the DRIs that have been approved for Charlotte County, but does not delineate the abandoned projects

## Map 1.19 Charlotte County Developments of Regional Impact



**Caliente Springs DRI (now called Tern Bay).**

The Caliente Springs Country Club is a residential/mixed use project of approximately 1,778 acres located on the west side of Burnt Store Road, roughly three miles north of the Lee County line south of Punta Gorda.

The development order, Resolution #92-29, which was adopted on February 18, 1992, was appealed by DCA on April 3, 1992 in order to address environmental concerns. The settlement agreement also included Future Land Use Element (FLUE) Map amendments and FLUE text amendments, which settled an appeal related to the Caliente Springs FLUE Map amendment. The project is divided into two phases with buildout scheduled for 2012. There was a two-year delay in getting final State approval for the development order; this delayed the start date of the project for two years. The following table displays approved land uses for Caliente Springs.

<b>Table 1.19 Caliente Springs (Tern Bay) DRI Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Commercial site (140,000 gross square feet retail)	15.7
Office (30,000 gross square feet)	5.0
Hotel site (250 rooms)	4.5
Residential parcels (1,810 units, estate single family, standard single family, club homes, patio homes, golf villas, garden condos, and mid-rise condos)	274.9
Golf and tennis site	8.0
Golf maintenance site	1.7
Boulevard (3.0 miles)	38.6
Golf/open space (48.9%)	446.7
Lakes	105.0
Additional right-of-way dedication	12.9
Total developed area	913.0
Conservation area (to be donated to the State of Florida)	865.0
<b>Total acreage</b>	<b>1,778.0</b>

Source: Charlotte County Community Development Department, September 2006.

*Current status.* No development activity has occurred as of September 2006.

*Impact to the community.* An integral part of the settlement agreement was an Urban Service Area "land swap." The swap removed approximately 321 acres of environmentally sensitive land approved for the same density and intensity of use as Caliente from the Urban Service Area in the Rotonda area on the Cape Haze Peninsula. In return, DCA allowed Caliente Springs to be approved.

In addition, approximately 865 acres of saltwater wetlands adjacent to the Caliente Springs project were placed under permanent conservation easement to be conveyed to the State of Florida. This land will augment the Charlotte Harbor State Preserve, helping to complete the State's Charlotte Harbor Conservation and Recreational Lands (CARL) project.

Because of the combined effort of the land swap and the donation of the saltwater wetlands, a total of approximately 1,236 acres of environmentally sensitive land will remain undeveloped,

available to be acquired by the State of Florida. The estimated population of Caliente Springs at buildout is 3,950.

**Charlotte County Airport, Stage I.**

This project included approval for the extension of Runway 3/21 with the adjacent taxiway extension, the installation of an instrument approach landing system (ILS), and the installation of a medium approach lighting system with runway alignment (MALSR) on the Charlotte County Airport. It is located on Airport Road, approximately one mile north of the northeast intersection of North Jones Loop Road and I-75, in the Punta Gorda area.

The development order was adopted on December 28, 1978. The project was completed in 1996.

<b>Table 1.20 Charlotte County Airport Stage I DRI Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Runway 3/21 and adjacent taxiway extension, ILS and MALSR	Airport Improvements
Total acreage	<b>1,799.0</b>

Source: Charlotte County Community Development Department, September 2006.

*Current status.* A 16,000 square foot aviation hangar and a 377,720 square foot aircraft parking apron was completed. The applicant is working with the Southwest Florida Water Management District on an airport-wide environmental resource permit. The development order does not provide a schedule for the submission of Stages II and III of the airport expansion. Future increments (potentially 1,779 acres of land) will be triggered by the development of the surrounding commercial and industrial property.

*Impact to the community.* A new precision instrument landing system in combination with the GPS is to be installed at the airport. It is very accurate and will allow landing during inclement weather conditions. This feature, allowing for the accurate prediction of arrival and take off times in bad weather, is important for business and commercial flights. Installation of the new precision ILS and the navigational application of the GPS will spur economic growth and development in the area surrounding the airport.

**Deep Creek Gardens.**

Deep Creek Gardens is a residential project of approximately 46 acres located on the north side of Sandhill Boulevard just west of Deep Creek Boulevard in the Deep Creek area.

The development order, Resolution #88-162, was adopted on September 6, 1988.

<b>Table 1.21 Deep Creek Gardens DRI Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Residential (650 units)	46.3

Source: Charlotte County Community Development Department, September 2006.

*Current status.* As of November 16, 1994, 199 units were constructed. SWFRPC reports that the development order has expired. Further development requires amendment to the development order.

### **Fairway Woodlands DRI.**

The Fairway Woodlands DRI was abandoned in 1998. Florida Communities Trust Program has accepted BCC's application to acquire the site as the Charlotte Harbor Flatwoods Addition and manage the property consistent with its natural resource policies.

### **Harborview DRI.**

The Harborview DRI is a 408-acre residential/mixed use project located at the intersection of I-75 and Harborview Road in the Harbour Heights area.

The development order, Resolution #92-62, which was adopted by the Board of County Commissioners on March 17, 1992, was appealed by DCA, and subsequently amended by Resolution #93-66 on May 11, 1993. The appeal was primarily in response to issues related to concurrency for transportation. In June 2006, a Resolution was adopted amending the Harborview DRI to incorporate 106 acres of adjoining land.

This project sets aside 25 acres of land for the perpetual preservation and management of scrub jay habitat. The Florida scrub jay, *Aphelocoma coerulescens coerulescens*, is listed by the State and Federal government as a threatened species. This is the first occurrence, through the DRI process, of land being donated to Charlotte County for passive recreational and preservation uses. The project is divided into three 5-year phases with buildout at 2011.

<b>Land Use</b>	<b>Acreage</b>
<b><i>Original Area</i></b>	
Single-family residential (207 units)	54.74
*Multi-family residential (1,180 units)	123.25
Office medical (414,270 square feet)	38.33
Commercial (870,982 square feet)	133.91
Roads and easements	27.82
Open space (preservation and recreation)	136.46
<b>Total acreage</b>	<b>514.61</b>

\*Total residential density within the CHHA of the 106 acres added to the DRI by Resolution 2006-093 is limited to 157 units.

Source: Charlotte County Community Development Department, May 2008.

*Current status.* No development activity has occurred to date.

*Impact to the community.* At buildout, this project will affect the level of service on Harborview Road and its associated I-75 interchange. This matter will require further County scrutiny as the surrounding properties develop. The estimated total population at buildout is 2,700.

### **Maple Leaf Estates.**

The Maple Leaf Estates DRI is a mobile home community located at the southeast intersection of Kings Highway and Rampart Boulevard in the Sandhill area.

The development order was adopted (not by resolution) by the Board of County Commissioners on November 21, 1978.

<b>Table 1.23 Maple Leaf Estates DRI Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Mobile home residential (1,130 units)	280.0

Source: Charlotte County Community Development Department, September 2006.

*Current status.* The project is complete.

*Impact to the community.* This project has an estimated population of 2,452, mainly retirees, many of whom are seasonal residents. As the name suggests, a high percentage of the residents are Canadians. The only ongoing concern stated in the development order is hurricane evacuation. A resident is appointed to serve as a continuous liaison between Maple Leaf Estates and the Charlotte County Office of Disaster Preparedness.

**Murdock Center DRI, Master Development Order.**

The Murdock Center DRI is a 646-acre mixed-use project located within the Murdock area which is surrounded by the Port Charlotte subdivision. The master development order, Resolution #87-48, was adopted on March 3, 1987 and has been amended on several occasions.

<b>Table 1.24 Murdock Center DRI Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Multi-family (1,312 units)	151.0
Flexible land use zone (468 units multi-family, 555 units ACLF/NHF, 185-bed nursing home facility, 324,000 square feet institutional use, or any combination of the allowable uses and densities)	40.5
Commercial and services (2,666,000 square feet retail, 170,000 square feet office, 250-room hotel, and 500 units multi-family)	297.5
Industrial (100,000 square feet)	10.0
Community park	32.0
Open space/waterways	64.0
Road right-of-way	48.0
Utility site	3.0
<b>Total acreage</b>	<b>646.0</b>

Source: Charlotte County Community Development Department, September 2006.

*Current status.* As of 2005, a total of 2,091,817 square feet of retail space, 1,146 residential units, 44,048 square feet of office space, 5,095 square feet of industrial space, and 120 nursing home beds had been constructed.

*Impact to the community.* Utilities are available and, due to the intensity of surrounding development and the area's past agricultural use, there are few environmental concerns. The primary issue is transportation. The Murdock Center Traffic Report, which was done in 1987 by the County Engineering Department as part of the Application for Master Development

Approval (AMDA), has not been updated with each increment. The impact created by each increment is addressed individually.

There is no long-range transportation plan for the area, nor does the development order address multi-modal transportation. The applicant is obligated to address impacts resulting from each increment to the existing road network and pay a proportionate share contribution for necessary road improvements. Multiple accesses have historically been granted as provided by the County Code because there is no specific provision in the development order to require shared access points. Because the development order does not provide guidance, the County will need to address these transportation issues. The estimated total population at buildout is 7,025. The Port Charlotte Town Center Mall, the Charlotte County Administration Building, and the Sun Bank Building are architecturally appealing and well landscaped; they represent three of Charlotte County's most attractive buildings.

*Murdock Center DRI, Increment I.* The Murdock Center DRI Increment I is a 321-acre residential/mixed use site within the Murdock Center Master DRI. The Development Order, Resolution #88-83, was adopted on June 14, 1988. The project consists of three 5-year phases with buildout at 2008.

<b>Table 1.25 Murdock Center DRI, Increment I Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Multi-family (1,312 units)	146.0
Commercial	59.0
Light industrial	10.0
Community park	32.0
Open space and waterways	38.0
Roads and easements	35.0
Utilities	1.0
<b>Total acreage</b>	<b>321.0</b>

Source: Charlotte County Community Development Department September 2006.

*Current status.* As of August 1999, a total of 306,304 square feet of commercial space, 4,034 square feet of industrial space, and 525 multi-family units have been constructed.

*Impact to the community.* This increment provides a variation from the hundreds of thousands of quarter acre residential single-family lots by providing land that is designated for multi-family use. In the original Master Development Order, the residential component was seen as support for the commercial development. In reality, however, the residential component is building out at a much slower rate than originally anticipated. The estimated total population at buildout is 5,303.

*Murdock Center DRI, Increment II.* The Murdock Center DRI Increment II is a 132.4-acre site within the Murdock Center Master DRI.

The development order, Resolution #87-274, was adopted on November 10, 1987. The project consists of two phases with buildout in 2005.

<b>Table 1.26 Murdock Center DRI, Increment II Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Regional mall (783,500 square feet), peripheral development (580,500 square feet)	118.0
Water management	14.4
<b>Total acreage</b>	<b>132.4</b>

Source: Charlotte County Community Development Department September 2006.

*Current status.* As of January 2003, a total of 1,000,572 square feet of gross leasable floor space has been constructed. During 2003, the project's buildout date was extended from 2003 to the year 2005.

*Impact to the community.* The construction of the mall has changed the character of the community. There was little development north of Toledo Blade Boulevard in the years immediately preceding the construction of the mall. US 41 was widened to six lanes and SR 776 was widened to four lanes. Since the construction of the mall, the area known as Murdock (at one time scheduled for development as a community of ranches) has emerged as the downtown that Port Charlotte never had. The mall is appropriately named the Town Center Mall.

This project has also generated an increased need for affordable housing to meet the needs of the mall employees. This is a benefit to the Charlotte County building industry, since Charlotte County offers an abundance of platted lots and competitively priced houses located close to the mall.

*Murdock Center DRI, Increment III.* The Murdock Center DRI Increment III is a 76-acre site within the Murdock Center Master DRI which contains an 18-acre commercial site, a Sam's Wholesale/Retail Store, and flexible land use zones.

The development order, Resolution #93-188, was adopted on October 12, 1993 and was amended by Resolution #94-96 on June 14, 1994. The project consists of a single phase with buildout in 2003.

<b>Table 1.27 Murdock Center DRI, Increment III Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Commercial (245,000 square feet)	24.5
Office (110,000 square feet)	11.0
Flexible Land Use Zone (468 units multi-family, 555 ACLF/NHF units, 185 beds nursing home facility, 324,000 square feet institutional use, or any combination of the allowable uses and densities)	40.5
<b>Total acreage</b>	<b>76.0</b>

Source: Charlotte County Community Development Department, September 2006.

*Current status.* As of August 1999, a total of 135,550 square feet of commercial space, 138 residential units, and a 108-bed nursing home have been constructed.

*Impact to the community.* This increment has several Flexible Land Use Zones. Since these zones allow the applicant to select from several uses listed above, the impact of this increment on the community will not be known until the applicant elects to specify the actual uses.

*Murdock Center Increment IV.* The Murdock Center DRI Increment IV is a 98.36-acre site within the Murdock Center Master DRI.

The Application for Incremental Development Approval (AIDA) was filed early in 1995. A Preliminary Development Agreement providing approval for the development of 25.66 acres Retail (236,026 square feet), for a Super Wal-Mart, and 11.47 acres of Waterway/Open Space was adopted in 1996. The treatment of this waterway is unique to Charlotte County. In addition to providing stormwater treatment to the Super Wal-Mart site, this canal has been developed with an enhanced littoral zone that will provide drainage for several County road projects located in the same drainage basin.

<b>Table 1.28 Murdock Center DRI, Increment IV Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Commercial retail (530,000 square feet), Office (60,000 square feet), Hotel (250 rooms)	86.9
Waterway/Open space	11.4
<b>Total acreage</b>	<b>98.3</b>

Source: Charlotte County Community Development Department, September 2006.

*Current status.* The development order was adopted on July 22, 1996.

*Impact to the community.* A Super Wal-Mart store and an Applebee's restaurant has been completed.

**Riverwood DRI, Master Development Order.**

The Riverwood DRI is a 1,265 acre residential/mixed use project located on the west side of SR 776 adjacent to the Myakka River in the El Jobean area.

The development order, Resolution #90-285, was adopted by the Board of County Commissioners on November 13, 1990, and was amended by Resolution #91-267 on October 22, 1991. The project buildout date is 2010 with phasing to be determined in increments. This is an upscale residential community with a championship golf course.

<b>Table 1.29 Riverwood DRI Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Residential (600 units single family, 1,400 units cluster homes, 1,300 units multi-family, which may include 200 units seasonal/vacation, or up to 200 manufactured housing/mobile homes)	530.0
Commercial (248,000 square feet retail, 86,000 square feet office)	33.0
Golf course (18 holes)	123.0
Marina/wet slip <sup>1</sup>	6.0
Collector road right-of-way	52.0
Lakes	140.0
Open space/buffers/easements	89.0
Utility site	28.0
Wetland reserve and upland reserve	264.0
<b>Total acreage</b>	<b>1,265.0</b>

Source: Charlotte County Community Development Department, September 2006.

<sup>1</sup> Future marina on site, not incidental dockage.

*Current status.* Increment I has been approved. As of January 2006, 501 residential units have been constructed.

*Impact to the community.* This project is different from the tens of thousands of lots platted throughout Charlotte County during the 1950s and 1960s. In fact, this project acquired significant portions of the 1920s era El Jobean subdivision and assembled the lots in order to replat. It is an upscale project that is nicely landscaped and well planned.

The project has established a Community Development District (CDD) to fund maintenance and infrastructure. The CDD has the authority to use revenue bonds and assessment bonds to provide capital to build the District's infrastructure. The CDD funds the construction of the internal road network and stormwater management system; however, the CDD is not limited to these activities. In accordance with County Ordinance #91-58, Section 1.10: "[t]he Riverwood Community Development District proposes to construct certain infrastructure including, but not limited to, the surface water management system; potable water distribution system; sewer and waste water collection and treatment system; non-potable water distribution and irrigation system; streets, sidewalks, and lighting; parks and facilities for indoor and outdoor recreational, cultural and educational uses; fire prevention and control facilities; security, including, but not limited to, guardhouses, fences and gates, and electronic intrusion-detection systems. The proposed services and facilities are compatible with the services provided by the County of Charlotte."

Ordinance 91-58, Section 2.6 states that "[t]he area to be served by the Riverwood Community Development District is amenable to separate, special-district government." and Section 3.5 states "[i]n addition to the special powers contained in Section 190.012(1), *Florida Statutes*, the Riverwood Community Development District shall also have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for:

- a. parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and
- b. fire prevention and control, including water mains and plugs, and
- c. security, including but not limited to, guardhouses, fences and gates, and electronic intrusion-detection systems, and
- d. control and elimination of mosquitoes and other arthropods of public health importance."

The primary concern to Charlotte County is the impact to the public road system, most particularly SR 776. The Florida Department of Transportation (FDOT) has completed the widening of this road to four lanes. These improvements were advanced with the assistance of Riverwood and the Riverwood CDD. The estimated total population at buildout is 7,160.

The primary concern during development review is the preservation of bald eagle nesting habitat on site. A Bald Eagle Management Plan was prepared in cooperation with the Florida Game and Fresh Water Fish Commission in order to protect the eagle nests located within the DRI. The Primary Eagle Zones are located outside of Increment I and most of the viable habitat is located in future increments which will be negotiated on a project-by-project basis as future increments are proposed. These habitats are established by State and Federal guidelines.

*Riverwood DRI, Increment I.* The Riverwood DRI Increment I is a 765-acre residential/mixed use project located on the west side of SR 776 adjacent to the Myakka River in the El Jobean area.

The development order was adopted by the Board of County Commissioners on November 13, 1990 by Resolution #90-286.

<b>Table 1.30 Riverwood DRI, Increment I Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Residential (1,100 units which may be single family, multi-family, retirement/ACLF, manufactured housing and mobile homes, seasonal/vacation units)	208.5
Commercial (140,000 square feet retail and office uses)	15.0
Utility site	28.0
Upland reserve	10.0
Wetland reserve	206.5
Collector road right-of-way	39.0
Limited development	18.5
Temporary nursery	9.0
Golf course	123.5
Golf course lakes	34.0
Open space/buffers/easements	45.0
Existing lake	28.0
<b>Total acreage</b>	<b>765.0</b>

Source: Charlotte County Community Development Department, September 2006.

*Current status.* As of February 2005, over 1.6 miles of Riverwood Drive and almost a mile of Club Drive and their landscaping were complete. The 18 hole championship golf course is finished and in play. Riverwood's activity center and the golf course clubhouse are both operational. Model homes have been constructed in several subdivisions and approximately 812 units have been built.

*Impact to the community.* This project provides jobs in the construction industry and provides a safe, attractive, upscale neighborhood for retirees, families, and professionals. The estimated total population at buildout is 2,409.

Some areas within this increment were identified as "habitat reserve" areas in Resolution #94-38, the most recent amendment to this increment's development order. Under the provisions of that resolution, existing mature pines in the "habitat reserve" will be removed only under limited circumstances. Most of the Riverwood BEMP does not affect Increment I.

*Riverwood DRI, Increment II.* The Riverwood DRI Increment II is a 307-acre residential project located west of SR 776, on the south side of Eleanor Avenue, adjacent to the Myakka River in the El Jobean area.

The Application for Incremental Development Approval (AIDA) was filed in 1996. Thirty acres are being added to the DRI as a part of Increment II. The community will accommodate 641 single and multi-family residences. Amenities may include boat docks, fishing piers, and boardwalks.

This increment contains a potentially significant archeological site that consists of three discrete parts, a burial mound and two shell middens. The middens are named "A" and "B". Shell midden B shall be preserved, if it is determined that the site is eligible for inclusion on the National Register of Historic Places. The burial mound shall be preserved, if reasonably feasible.

<b>Table 1.31 Riverwood DRI, Increment II Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Residential (approximately 700 dwelling units)	350+
Conservation/Preservation	Not yet determined
<b>Total acreage</b>	<b>350+</b>

Source: Charlotte County Community Development Department September 2006.

*Current status.* The project was granted conditional approval in January 1997. As of June 2006, construction has not started. Buildout is projected in 2009.

*Impact to the community.* During the review of the Master DRI, the applicant identified the following listed species onsite: gopher tortoise, bald eagle, Florida scrub jay, round-tailed muskrat and two wading birds, the Louisiana heron and snowy egret. The applicant must address the environmental concerns associated with these species during the review of the increment.

### **Sandhill DRI.**

The Sandhill DRI is a 727 acre commercial/mixed use project located at the intersection of Kings Highway and I-75, in the Deep Creek area.

The Board of County Commissioners adopted the development order on February 17, 1981. It was superseded by two substantial deviation requests and has been amended on several occasions. The project has no phasing with buildout scheduled for 2006.

<b>Land Use</b>	<b>Acreage</b>
Residential (2,496 units)	151.9
Commercial (965,800 square feet)	214.2
Research and development (261,000 square feet)	26.2
Golf course	95.7
Park/public/semi-public	50.2
Lake	61.4
Public	2.6
Mitigation	84.7
Roads	37.9
Preservation	6.6
<b>Total acreage</b>	<b>731.4</b>

Source: Charlotte County Community Development Department, September 2006.

*Current status.* As of July 1999, 246 condominium units were complete, along with an 18-hole golf course, and a total of 175,380 square feet of commercial space and 11,600 square feet of office space. The four-laning of Kings Highway is complete. Peachland and Sandhill Boulevards have been realigned; and the Sandhill portion of the Hillsborough Extension has been constructed.

*Impact to the community.* The first development order in 1981 was for a residential/mixed use project. In 1986, the project changed focus to a commercial/mixed use project. The trend for marketing commercial projects is likely to continue, at least for the near future.

The development order calls for yearly monitoring of the roadway network and provides that development will halt if the roads do not have adequate capacity to support the project. There are no projections as to when the roadway network is anticipated to need improvement. Many of the road improvements associated with the project have been made, however, additional improvements and signalization associated with the I-75 interchange will need to be addressed prior to buildout of the project. The MSTU/BU will be responsible for funding an Interchange Modification Report to identify the needed improvements, when needed. The estimated total population at buildout is 9,250.

### **Seminole Trail.**

The Seminole Trail DRI was a 1,044 acre residential/mixed use project located on the north side of CR 74 (a.k.a. Bermont Road) approximately 5.5 miles east of US 17 in the Punta Gorda area.

This project was abandoned pursuant to Resolution #93-58 on May 4, 1993.

**Victoria Estates DRI.**

The Victoria Estates DRI is an approximately 360-acre development containing a mix of residential, commercial, and recreational uses. It is located at the northeast intersection of Rampart Boulevard and Kings Highway (Tract A 293.26 acres) and just east of the southeast intersection of Loveland Boulevard and Suncoast Boulevard (Tract B 72.5 acres), in the Port Charlotte area adjacent to Sandhill DRI and Deep Creek subdivision.

The development order, Resolution #89-141, was adopted by the Board of County Commissioners on July 11, 1989 and was amended by Resolution #94-111 on June 21, 1994. BCC has adopted four additional amendments to the development order. One of the amendments approved rezoning part of Tract A from Mobile Home Park (MHP) to Planned Development (PD) allowing a mix of housing types consisting of detached residential and mobile homes. Another amendment approved the rezoning of Tract B from MHP to PD and reduced construction of 366 mobile homes to 205 conventional site-built units. The project proposes buildout by May 2010.

<b>Table 1.33 Victoria Estates DRI Land Uses</b>	
<b>Land Use</b>	<b>Acreage</b>
Residential (1,312 units mobile homes)	161.0
Commercial (250,000 square feet commercial, 120,000 square feet office)	28.6
Golf course	50.1
Recreation/open space	23.0
Roadways	32.9
Maintenance	1.4
Lakes	60.9
<b>Total acreage</b>	<b>357.9</b>

Source: Charlotte County Community Development Department, September 2006

*Current status.* As of February 2006, 326 dwellings, 132,710 square feet of commercial space, 21,000 square feet of office space, and the 18-hole golf course were complete.

*Impact to the community.* This project impacts basically the same roads as the Harborview DRI and the Sandhill DRI, namely Kings Highway, Rampart Boulevard, Harborview Road, Rio De Janeiro, and Peachland Boulevard. Like those developments, this project must forward an annual traffic monitoring report to the MPO and the County Transportation Engineering Department. Rampart Utilities serve this project.

**O. The Platted Lands Challenge**

**Impact on Infrastructure and Services**

The 1997 Comprehensive Plan discussed the potential resulting from the ultimate buildout of all platted lots (226,000 lots) within the urbanized areas. This scenario identified massive public infrastructure and facility improvements that would have to be accounted for as well as the

indirect costs of additional County staff for the expansion of these services and facilities. Since that time, demographic and market changes have somewhat mitigated these physical and fiscal impacts.

The City of North Port is maturing with commercial, office and industrial development providing the necessary jobs, and public facilities and services for its residents. Given the unique, cross county line GDC platting, however, there still will be North Port residents that travel to Charlotte County, using the existing infrastructure. Further, Charlotte County residents are continuing to grow older (Median age – 1990: 53.7, and in 2000: 54.3), and hold the distinction of having the oldest population in the State. Projections to 2030 indicate the median age of the county population will be 61. The graying of Charlotte County is also reflected in the household size which has gone from 2.23 in 1996 to 2.18 in 2006. Finally, the market has demonstrated a rapid growth in amenity laden developments and a marked slow down in the development of individual single-family lots. Given the nature (substandard roads and drainage, no sidewalks, no sewer/water and no amenities) and overall individual ownership of the pre-platted lots it is anticipated that development of these lots will extend well beyond the 2030.

There are currently 134,070 vacant residential lots within the three urban areas of the County (Table 1.8). The potential build out of each of these lots would generate an additional 292,273 persons (2.18 persons/household) which would affect existing public facilities and services. Based on the County's Urban Service strategy – directing growth to infill areas and prioritizing capital spending on infrastructure and services within the Urban Service Area – the potential impact of this population increase will be minimized.

The County's estimated 2004 population is 156,985 with projected 2010 and 2015 populations of 174,200 and 190,600 respectively. With a projected 8% to 9%, growth rate for the County would not add 300,000 people to the County within the next 30+ years. This does not diminish the need to plan for the potential population increase and the attendant service and facility costs. The solutions described in this plan have been successful in substantially reducing the total number of platted lots in the County and in directing the density and intensity of land use to appropriate areas of development.

### **Solutions**

There are no absolute solutions for the problems associated with the premature platting and sales of land. When the original developers go bankrupt, as many inevitably do, local governments, taxpayers, and ratepayers are left with the bill. Must they honor the obligations made by the original developer? Can a local government simply turn its back upon those customers? There are no easy answers to these questions which have legal, political, and economic implications. In the case of platted lands zoned for higher intensity uses (multi-family, commercial, etc.), down zoning remains a viable option. Most platted lots in Charlotte County, and throughout Southwest Florida, are single family, rectangular lots, of roughly 10,000 square feet. In the case of these lots - hundreds of thousands of them throughout the region - down zoning is less of an option. The danger of these lots is their sheer numbers.

Although there are no outright solutions, there are some remedies to the platted land challenge. Charlotte County will consider all of these options.

**1. Direct purchase of platted lots.** In this scenario, Charlotte County sets a goal to reduce its overall number of platted lots by some annual quantity or factor (e.g. 1,000 lots or 1% of all lots). The County will then acquire all lots for which taxes have not been paid, and would set aside an annual appropriation for the direct purchase of lots, either at sheriff's sales or on the open market. Charlotte County does have an active Real Estate Services Department, so there is expertise on staff to purchase land. Alternatively, the County could contract with private realtors to acquire lots at a fixed rate (starting about \$15,000, except in Coastal High Hazard Area where lots are \$30,000+), thereby cutting down on the staff necessary to acquire these lands. The County might have a sort of annual sealed auction in which the lowest bids are sold to the County until the annual appropriation is completely expended. After several years of persistent, piecemeal acquisition, Charlotte County would have an inventory of buildable lots. Eventually, these lots could be augmented to by targeted purchase, or sold or traded off in order to consolidate the County's holdings.

a. *Advantages.* Progress would be steady, and the long-term liability to provide infrastructure and services would be reduced. As wholesale land acquisition programs go, this one would be relatively simple to manage, because it does not involve the acquisition of targeted lands, or the negotiated purchase of land. The County merely buys from the cheapest seller.

b. *Disadvantages.* This scenario does not target individual areas for acquisition. The lands acquired would form a patchwork array, scattered throughout the less developed parts of Charlotte County. As in all cases of public land acquisition, the County would assume certain minimal maintenance requirements. Although these lands are subject to minimal property taxes, the public might misunderstand the intent of these acquisitions, wondering why the County was paying money to purchase lands for which the tax burden would be redistributed among ad valorem taxpayers.

**2. Direct acquisition of targeted lands.** In this scenario, Charlotte County establishes an annual acquisition goal, expressed either in terms of lots purchased or in percentage reduction of total lots. The County establishes an annual appropriation for the direct, negotiated, voluntary purchase of land, but the lands purchased must lie within areas designated for acquisition on the Future Land Use Map. These lands would include portions of the Rural Service Area. The County would continue to chip away at these areas on an annual basis with the eventual goal of assuring that an entire targeted area would be acquired thereby sparing the County the expense of providing additional infrastructure and services. In the long run, Charlotte County might be able to deplat very large areas, allowing for their conversion to other productive uses such as conservation, agriculture, or preservation. Eventually, the lands could also be replatted more efficiently, developed, and sold.

a. *Advantages.* As with option 1, long-term infrastructure and service liabilities are diminished. This option also has the advantage of clearly targeting lands for eventual de-urbanization, putting property owners on notice well in advance of the local government's intentions, and providing them an opportunity to sell individual lots in the least coercive manner possible.

b. *Disadvantages.* Because this option targets a particular area, and is not applied throughout the Urban Service Area Overlay District, lot owners form a smaller pool than they would have under option 1. Therefore, the laws of supply and demand are likely to push the per-lot price higher than it would have been under option 1. Again, the public is likely to

misunderstand the reason for purchasing small, undistinguished lots and foregoing the annual tax revenues, no matter how minimal.

**3. Direct purchase with assistance from the State of Florida.** In this scenario, Charlotte County identifies portions of the platted areas, which are environmentally sensitive or contain critical habitat for listed species. These lands would then be targeted for purchase through the State's Florida Forever program, with a private intermediary, such as the Trust for Public Land, handling the negotiations and acquisitions. Charlotte County could encourage this process by sweetening the pot with an annual appropriation, and by working with its legislative delegation to ensure that sufficient State funding is available.

a. *Advantages.* In addition to the obvious advantage of leveraging County funds, this option would have the clear benefit of removing conspicuously sensitive lands from development, and it would involve the State of Florida in the acquisition process. Although State government was not responsible for the overplating of Charlotte County, the consequences of overdevelopment are a threat to State interests - particularly the threat of pollution of Charlotte Harbor and its tributaries, as well as the potential loss of critical habitat.

b. *Disadvantages.* This approach would be a win-win situation for both Charlotte County and the State of Florida. The only potential disadvantage would be that State funds understandably come with strings attached. In particular, the State might choose to place restrictions upon the use or resale of acquired lands. The State would rightly expect a percentage of any profits from resale.

**4. New zoning categories.** Charlotte County could amend its land development regulations to require or encourage deplating, consolidation and replating of land, particularly for plats in the reserve and rural service areas. The county could require certain acreage in order for land in designated zoning districts to be considered buildable if infrastructure is not available at time of building permit application. Such a requirement could act as a zoning district overlay requiring infrastructure to be in place or a minimum sized land area for permit issuance.

a. *Advantages.* This is a purely regulatory approach, so acquisition of land would not be necessary. No land would be lost from tax rolls. Density would be substantially reduced in order for a permit to be issued or infrastructure would be in place to serve each previously platted lot. Density reduction would decrease environmental impacts caused by development without the full range of infrastructure to serve it.

b. *Disadvantages.* Zoning codes have seldom - if ever - been used to force the consolidation of land. Charlotte County would, therefore, not be able to draw on the experience of other communities.

**5. Create an organization to handle consolidation and deplating.** Charlotte County could create an organization, possibly a private non-profit entity, which would consolidate lands, replat them, and then resell the land in larger sized, and more manageable, parcels. Its total mission would be to acquire lots, by either direct purchase or delinquent taxes, and consolidate and resell them as larger sized lots. Of course, the County could keep the lots for future use. The organization could use any legal method that it could devise for accomplishing its mission. (Condemnation could be used a method of last resort.) This alternative would require hiring at least one land acquisition specialist or land manager. The project would driven by specific targets - either a quota of lots or a dissolution date. Additionally, the land manager could be in

charge of arranging lot swaps - lots in remote locations could be swapped for lots within Infill areas. The landowner would then be able to build on lots where infrastructure and services are concentrated and remote lots could be removed from the inventory of potential developable lots.

*a. Advantages.* This would create an organization with only one goal - to reduce the number of buildable lots in the County. If it were a private organization, it would keep the day-to-day consolidation process out of the hands of County government, thereby not adding to the size of County staff. It could use any means available, including State funding.

*b. Disadvantages.* This approach could lead to the creation of additional government departments, assuming that a private non-profit organization is not created. A private organization would possibly take needed control away from Charlotte County. This program would also require up-front funding from Charlotte County to get started. It may not be self-sufficient and could depend upon government subsidies.

**6. Administrative deplatting.** Charlotte County could create an administrative deplatting process in which no fees are charged to persons wishing to consolidate lots in targeted areas. Administrative deplatting should apply to any of these platted lands strategies. Although staff would expedite the processing of administrative deplats, the review would be based upon standards established by ordinance.

*a. Advantages.* Administrative deplatting of consolidated lands would provide its own incentive. Plat and street vacations currently cost \$902.00 each. Landowners are reluctant to apply for deplatting at such costs. The County should provide administrative deplatting only in selected situations relating to its platted lands strategy.

*b. Disadvantages.* This could lead to reduced revenues for County government since fees are now charged for all vacations. It could also create additional workload on staff and may lead to additional personnel requirements if the workload is heavy.

**7. Graduated impact fees.** Graduated impact fees would create an economic disincentive to developing within remote platted areas. A higher fee would be charged for development in rural service areas as opposed to lower fees in urban service areas. Higher fees may be justified because it costs more to provide services for remote development. This concept is further discussed later in this element.

*a. Advantages.* Graduated impact fees would discourage development in remote areas while not prohibiting it. People can choose to live in remote locations, but would pay higher impact fees. It would also increase funds for County services that are required due to new development.

*b. Disadvantages.* This program would require staff to determine the impact fee for different areas of the County.

**8. Tax deed acquisition.** The County could take over ownership of lots for which property owners have not paid their taxes, thereby removing them from the inventory of buildable lots. The County also has the option of establishing an exchange program in which delinquent tax deed lots in Infill areas (the more populous locations) could be exchanged for lots in rural areas.

*a. Advantages.* This approach would remove many lots from the inventory of buildable lots each year. An exchange of lots in Infill areas with those located in rural areas would provide more opportunity to direct growth into areas served more efficiently by infrastructure and services.

*b. Disadvantages.* This approach would remove numerous lots from the County tax rolls, thereby reducing government funding. The County would also be required to manage the acquired lots.

**9. Urban Service Area strategy.** This concept is discussed in a later section regarding growth management.

Each of these alternatives has advantages and disadvantages. In order to implement growth management and address the problems associated with platted lands, the County must make some difficult decisions.

The Urban Service Area strategy is a key component of any platted lands strategy. The USA should be the County's primary, but not the only, growth management technique. The use of graduated impact fees is another tool that Charlotte County should adopt. It creates a disincentive to development in remote locations. The County should also employ administrative deplating of lots in targeted areas in order to encourage consolidation. It would require a little extra effort on the part of staff, but the public interest would be better served by doing so.

By dealing with the platted lands issue, the County has set a goal to reduce the vast inventory of vacant platted lots within the West, Mid, and South County planning areas. This goal is to reduce the overall number of vacant platted lots within those locations by a minimum of 1% per year by 2020. In 2005, the inventory amounted to 138,536 lots and parcels a reduction of 29,445 residential lots. A one percent reduction equates to an additional 1,341 vacant lots by 2020.

How should the County accomplish the large-scale consolidation of lands? Economics plays a vital role in this decision. Does the County have enough money to acquire lots through direct purchase? Can enough lots be acquired through delinquent taxes, and how will the tax base suffer? Would the State of Florida supply funds? Should the County create an organization whose sole mission is to consolidate lands? How successful would it be?

## IV. The Future: Projections

### A. Population

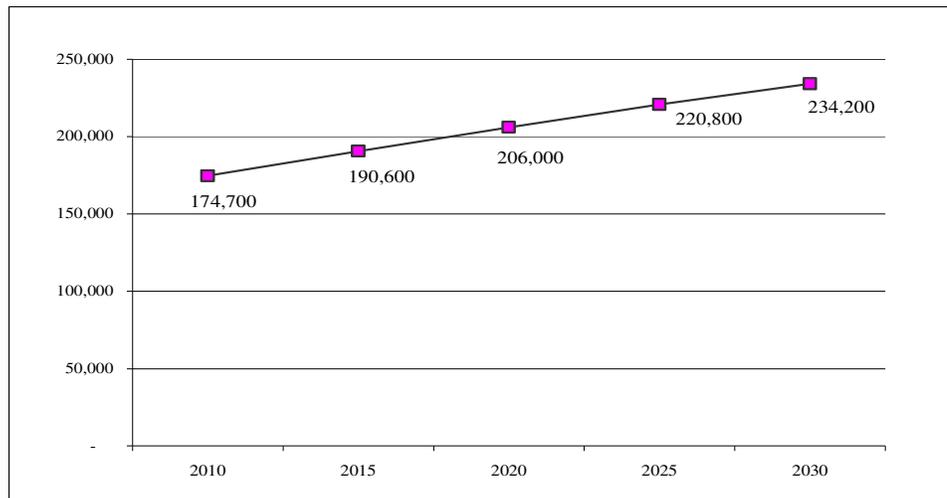
Charlotte County and its only municipality, the City of Punta Gorda, will continue to experience population growth in the ensuing decades. New residents will increase the demand for urban services and infrastructure - more potable water and sanitary sewerage, additional roadways and roadway improvements, and the need for expanded police and fire protection to name a few.

*What will be the future population?* Rule 9J-5, *Florida Administrative Code*, requires local governments to use the medium level population projections provided by the Bureau of Economic and Business Research (BEBR) from the University of Florida unless a local government generates its own projections, which are subject to approval by the Department of Community Affairs. Charlotte County uses those provided by BEBR. One drawback to this approach is that the projections are for the entire jurisdiction and not broken down by planning district. Therefore, the BEBR population is distributed throughout the county based on several factors: historic growth trends and prognostications about the future based on available land, infrastructure, and growth management policy decisions.

#### **BEBR's Projection.**

BEBR projects that the County's resident population will be about 174,700 persons in 2010. This projection anticipates a net increase of 22,700 between BEBR's 2003 estimate of 152,000 and that of 2010. The population is projected to reach 190,600 in 2015; 206,000 in 2020; 220,800 in 2025; and 234,200 in 2030 (*Florida Statistical Abstract 2004*, Bureau of Economic and Business Research).

Chart 1.9 Projected Population, 2010 to 2030



Source: Florida Statistical Abstract, 2004.

**Seasonal Population.** Seasonal residents and tourists flock to Southwest Florida during the winter months between November and April with most visiting during the months of January, February, and March. The greatest impact on infrastructure and services is encountered during this three-month time span. The Southwest Florida Regional Planning Council's April 2002

Strategic Regional Policy Plan estimates that during the season, winter residents may increase the population of the six County Region by as much as 22%. Most of the increase occurs in the region's coastal counties. A 22% increase in Charlotte County's 2000 Census population of 141,627 would add over 31,000 people to the community.

<b>Table 1.34 Seasonal Population Projections, Based on a 22% Seasonal Increase</b>		
<b>Base Year Population 2000</b>	<b>Projected Seasonal Population</b>	
	<b>2010</b>	<b>2020</b>
141,627*	213,134**	251,320**

Source: \*Southwest Regional Planning Council, 2002, and \*\*BEBR medium projection.

According to the 2000 Census, which used data from April 1st of that year, Charlotte County has approximately 11,000 vacant dwelling units that are for seasonal, recreational, or occasional use. These units comprise 13.4% of the housing stock and are likely used primarily by winter residents. Therefore, a seasonal population increase of up to 22% is appropriate considering that, in addition to winter residential units being occupied, campgrounds, motels, and seasonal apartments are occupied during the winter months, not to mention the thousands of winter sojourners who stay with friends and relatives.

To reflect this variation, BEBR medium population projections, and others, as appropriate, are augmented by an additional 22% increase in projected population projections, going forward, throughout the Comprehensive Planning process. As a result, for example, the BEBR medium population projection for 2010, in Table 1.35 below, was increased from 174,700 to 213,134.

**Population Distribution.** Two sources of historical data are used to determine development trends relating to population distribution in Charlotte County. The first is U.S. Census population data. The second is residential certificate of occupancy data compiled from the county's geographic information system (GIS).

U.S. Census data was examined for the last two decennial censuses in order to determine planning district population growth. For the decade, the share of the total population growth by district was determined as the considering factor.

Residential certificates of occupancy issued by Charlotte County are entered into the GIS data base and tracked by Community Development Department staff in order to evaluate growth trends. These data are available on an annual basis unlike the decennial census; however, data prior to 1992 have not been entered into the system. This information does provide the latest development trends within the county.

The following table identifies projected population distributed throughout Charlotte County for the planning time through 2020. A range of projected populations is provided for each planning district and the City of Punta Gorda.

<b>Table 1.35 Population Distribution</b>										
<b>Year</b>	<b>Population*</b>	<b>Population Growth</b>	<b>West County</b>		<b>Mid County</b>		<b>South &amp; East County</b>		<b>Punta Gorda</b>	
			<b>Low Range</b>	<b>High Range</b>	<b>Low Range</b>	<b>High Range</b>	<b>Low Range</b>	<b>High Range</b>	<b>Low Range</b>	<b>High Range</b>
2010	213,134	61,134	44,809	57,533	102,414	123,098	25,397	29,739	19,895	24,848
2015	232,532	80,532	46,735	67,677	105,545	139,586	26,055	33,201	20,646	28,796
2020	251,320	99,320	48,008	78,293	107,613	156,842	26,489	36,824	21,141	32,929

Source: Charlotte County Community Development Department, June 2006. April 1, 2003 population estimate is 152,000 from Bureau of Economic and Business Research, University of Florida.

\* Population is BEBR medium projection. The 2010 population growth is from 2003. Population projections include the additional seasonal increase of 22%.

This population distribution compares favorably to that prepared for the City of Punta Gorda's comprehensive plan. The *City of Punta Gorda Comprehensive Plan 1997* indicates that the city's population is projected to fall within the following ranges:

<b>Year</b>	2000	2005	2010
<b>Population</b>	13,238 - 13,861	14,498 - 15,463	15,758 - 17,042

**Other factors that may influence future population growth.**

Several factors need to be considered in conjunction with new population projections for Charlotte County. These factors result from various unforeseen changes that have occurred over the last several years, and are likely to continue well into the future.

The first consideration must be viewed at a national level. The downsizing of the corporate structure of the United States has drastically reduced the pool of pension retirees that could easily afford to migrate to Florida and to Charlotte County. There is likely to be greater competition among the Gulf Coast communities for their share of the retiree influx. It is also not certain that the baby boomers, who will start retiring in the near future, will retire to Florida at the same rate as the most recent generation of retirees.

The slow down in the construction industry emphasizes the need for a more diversified job base. If economic development plans are successful in attracting industries that provide competitive wages, then the potential will exist for in-migration of a lesser proportion of young families with children.

The promotion of economic development in Lee and Sarasota Counties will create stiffer competition for Charlotte County to expand its tax base. Charlotte County's land is generally less expensive than that of its neighbors, and therefore will potentially attract more housing prospects for workers who commute to Lee and Sarasota Counties. This trend could create higher costs for services in Charlotte County without expanding the tax base to pay for them.

## B. Projected Land Use Needs and the Future Land Use Map

Allocation of sufficient land for existing and future needs is the primary purpose of this element. In the 1988 comprehensive plan, Charlotte County over allocated its future land use needs by 600% to 700%. This was done by the combination of Future Land Use Map designations and a 215 square mile Urban Service Area. As pointed out earlier in this element, this is a result of the county's overplanning. This comprehensive plan incorporates those same future land uses with minor modifications, but substantially reduces the Urban Service Area in order to bring the allocation more in line with state planning standards. The Urban Service Area strategy reduces allocation of the needed land for the planning time frame through 2020 when the population is projected to approach 177,000.

The Future Land Use Map has been revised for Charlotte County by incorporating a number of new land use designations. The Future Land Use Map is one component of a freestanding Future Land Use Map series. It is designated as map #1 and includes classifications discussed below.

### Residential land use needs

Allocation of land to meet the expected population is a key to managing growth effectively. The Department of Community Affairs has set a guideline of 125% for allocating developable lands versus projected needs in comprehensive plans (*Technical Memo*, Florida Department of Community Affairs, Volume 4, Number 4). This means that the amount of land identified as developable should not exceed that needed to serve the projected population plus 25%. In order to determine land allocation, an increase of 25% is added to the projected land use needs. This additional land provides for development flexibility and sufficient land in order to avoid inflating the cost of real estate.

Projected housing demand and residential land allocation can be determined by the projected population and number of persons per dwelling unit. The number of persons per dwelling unit varies within each area of the county as displayed by Table 1.36.

<b>Table 1.36 Persons Per Occupied Dwelling Units in 2000</b>			
<b>Area</b>	<b>Population</b>	<b>Dwelling Units</b>	<b>Persons Per Dwelling Unit</b>
West	31,910	20,803	1.53
Mid	76,101	39,160	1.94
South & East	19,173	10,851	1.77
Punta Gorda	14,443	8,944	1.61
<b>Totals</b>	<b>141,627</b>	<b>79,758</b>	<b>1.78</b>

Source: Charlotte County Community Development Department, June 2006.  
Information from 1990 and 2000 U.S. Census.

The projected number of dwelling units needed in the future can be projected for each area of the county by dividing the persons per dwelling units into the projected populations. For this analysis, the "high" population projection is used. These figures provide estimation of how many future homes are needed, and in turn, the amount of land necessary to provide for them.

<b>Table 1.37 Dwelling Unit Needs for Projected Populations, 2010-2020</b>								
	<b>West County</b>		<b>Mid County</b>		<b>South &amp; East County</b>		<b>Punta Gorda</b>	
<b>Year</b>	<b>Population</b>	<b>Dwelling Units</b>	<b>Population</b>	<b>Dwelling Units</b>	<b>Population</b>	<b>Dwelling Units</b>	<b>Population</b>	<b>Dwelling Units</b>
2010	57,534	37,604	123,098	63,452	25,398	14,350	24,849	15,434
2015	67,677	44,234	139,586	71,952	26,056	14,721	28,797	17,886
2020	78,294	51,172	156,842	80,847	26,490	14,966	32,929	20,453

Source: Charlotte County Community Development Department, June 2006.

Population projections (and resulting calculations) include the additional seasonal increase of 22%.

In Charlotte County, the vast majority of dwelling units are built upon quarter-acre sized lots. The 2000 Census reports that approximately 70% are conventional single-family homes while 14.5% are mobile homes, and 15.7% are multi-family units, which contain five to nine units. For this analysis, it is assumed that most future dwelling units will be constructed on quarter-acre sized lots, which are low in density. In fact, less than three percent of new dwellings unit constructed from 2000 to 2005 have been multi-family units. Approximately ninety-five percent have been single-family and mobile homes (10,218 single family, 410 multi-family, 3,637 mobile homes, and 180 duplex - updated through December 2005). The following table displays the amount of residential land area (in acres) that needs to be allocated for future dwellings. This allocation includes land for the projected population plus 25%.

<b>Table 1.38 Needed Land Area for Projected Residential Uses</b>									
	<b>West County</b>		<b>Mid County</b>		<b>South &amp; East County</b>		<b>Punta Gorda</b>		<b>Total Land Area</b>
<b>Year</b>	<b>Dwelling Units</b>	<b>Land Area</b>	<b>Dwelling Units</b>	<b>Land Area</b>	<b>Dwelling Units</b>	<b>Land Area</b>	<b>Dwelling Units</b>	<b>Land Area</b>	
2010	37,604	11,751	63,452	19,829	14,350	4,485	24,849	7,765	43,830
2015	44,234	13,823	71,952	22,485	14,721	4,601	28,797	8,999	49,908
2020	51,172	15,992	80,847	25,265	14,966	4,680	32,929	10,291	56,228

Source: Charlotte County Community Development Department, June 2006. Land area is in acres.

Population projections (and resulting calculations) include the additional seasonal increase of 22%.

### Commercial land use needs

The majority of commercial development is located within the urbanized areas of Charlotte County and acreage totaled 6,531 by the end of 2006. Much of the commercial land is located in strip centers along major arterial roads such as US 41, SR 776, CR 775, and US 17. These strip centers have their pluses and minuses as they provide inexpensive rent, for small business owners—and they are situated in prime locations along heavily traveled roads. On the negative side, the lots are generally small, which leaves little room for a structure and required stormwater management facilities and parking spaces. In addition, commercial strip development can be perceived as aesthetically unpleasing due to sparse landscaping and unattractive signage.

Within the urbanized area, developed commercial lands represent approximately 9.7% of all developed lands. As illustrated in Table 1.39 this is almost double the typical 5% commercial allocation for most communities (*Community Builders Handbook*, Urban Land Institute, Washington, DC, 1968).

	<b>West County</b>	<b>Mid County</b>	<b>South County</b>	<b>Total Urbanized Area</b>
Acreage	2,300	6,002	2,368	10,670
Percentage	3.7%	13.8%	7.5%	9.7%

Source: Charlotte County Community Development Department, September 2006.

The prevalence of strip commercial development has increased the traffic demand on the county's major arterial roads. In West County, commercial strip development is located along SR 776 and CR 775 and is planned to be located along CR 771. In Mid County, it is located along SR 776 and US 41. In South County, it is located along US 17 and US 41. Residents must depend upon their automobiles and travel these few roads for almost all of their shopping needs. A commercial-residential conflict exists between land uses along US 41 between the Sarasota-Charlotte County line and Charlotte Harbor, which is a result of the strip pattern. In such cases, residential dwelling units are located to the rear of commercial lots on the same block. Additionally, as pointed out above, commercial strip lots leave little room for building space.

The following map (Map 1.20) displays the major areas of commercial concentration within the county. The three and six mile bands surrounding the commercial locations are the main service areas for existing neighborhood, and community centers as identified on the Existing Land Use Map. The majority of automobile trips for these commercial businesses are projected to originate in the band areas. Although most of the urban areas in the county lie within a commercial service area band, the layout of the commercial areas along major thoroughfares still encourage multiple vehicle trips for shopping.

To improve these situations, further linear expansion of strip commercial development should be prevented except in the case of infill and commercial sites should be designated on the Future Land Use Map in or near residential communities. Commercial sites should be developed using the guidelines for commercial centers from the Urban Land Institute. For Charlotte County, these have been adjusted slightly to meet local needs. The following Table 1.40 illustrates the commercial center Future Land Use Map designations and standards that are used in this comprehensive plan to reduce strip commercial development:

<b>Classification</b>	<b>Size (in acres)</b>	<b>Floor Area Ratio</b>	<b>Service Area (radius)</b>	<b>Support Population</b>	<b>Roadway Access</b>
Sub-Neighborhood	0 to 3	0.60	up to 1 mile	3,000 to 4,000	Collector
Neighborhood	3 to 10	0.60 (1.00 for office buildings)	up to 3 miles	4,000 to 8,000	Collector
Community	10 to 30	1.00	up to 6 miles	up to 40,000	Major arterial/Collector
Regional	greater than 30	1.75	county and regional	minimum of 80,000	Major arterial
Rural	maximum of 15	0.60	up to 15 miles	up to 10,000	Major arterial

Source: Charlotte County Community Development Department, June 1996, using standards from *Shopping Center Development Handbook, Second Edition*, Urban Land Institute, 1985.

The projection of future commercial land use needs is based on existing development in the county. Using 2004 data, a ratio of 0.076314 acres of commercial land per persons was determined to exist in the county. This ratio was then multiplied by the projected population and an additional 25% of land was added to project future commercial land use needs as displayed in the table below. This projection is based on a range between the existing 1.01% commercial land figure and 5%. It is possible that as the county diversifies, additional commercial lands will be needed; therefore, the upper limit of 5% is appropriate. An increase in the existing land use percentage is not out of the question, but the economic base of the county will need to undergo substantial change.

<b>Table 1.41 Commercial Land Use Projections</b>				
<b>Year</b>	<b>Projected Population</b>	<b>Ratio Allocation (.076314) + 25%</b>	<b>1.01% Acreage Projection</b>	<b>5.00% Acreage Projection</b>
2000	172,752	16,479	1,745	8,638
2005	191,527	18,270	1,934	9,576
2010	216,916	20,692	2,191	10,846
2020	255,468	24,369	2,580	12,773

Source: Charlotte County Community Development Department, September 2006.

Population projections (and resulting calculations) include the additional seasonal increase of 22%.

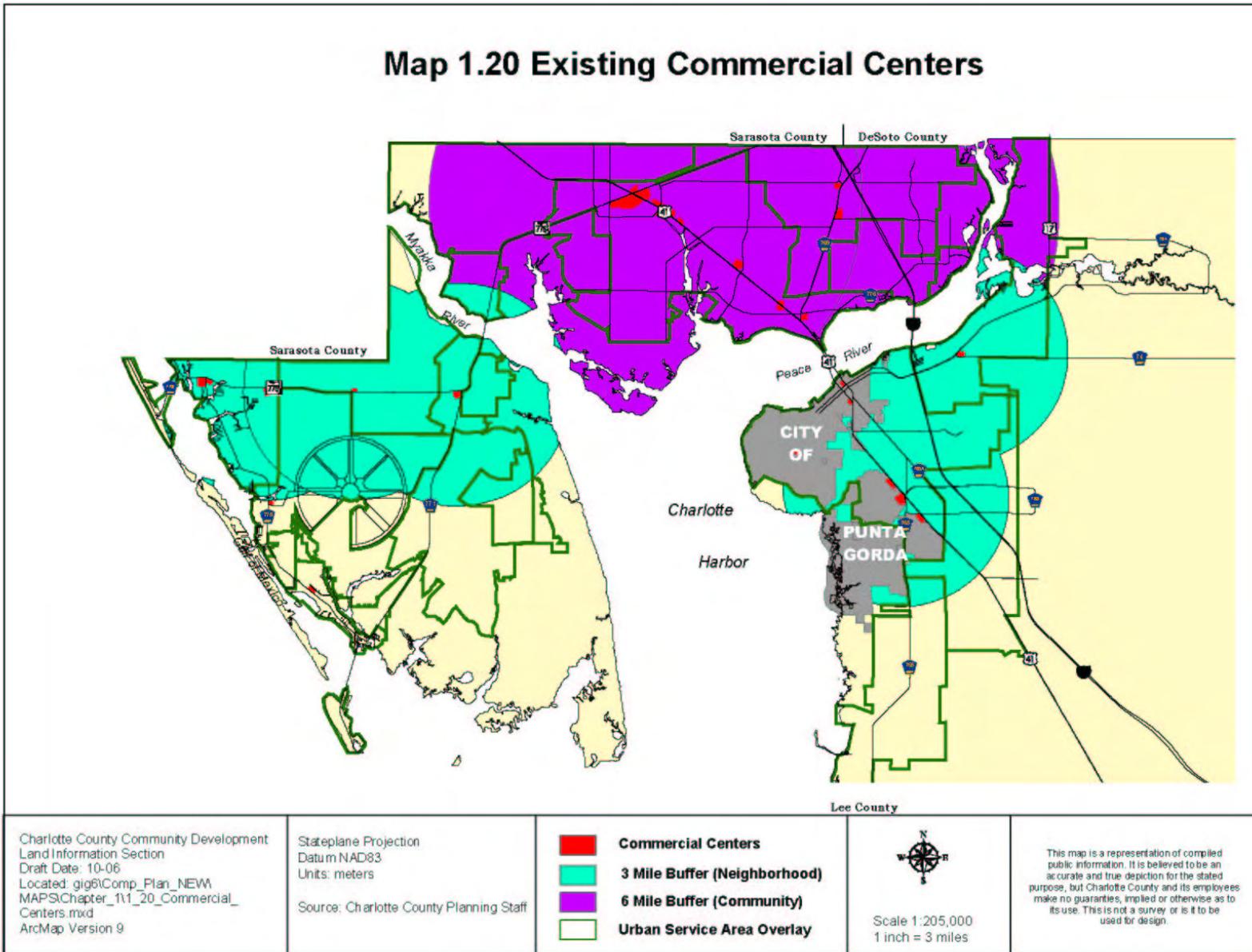
Table 1.42 displays the projected commercial acreage distribution within the three urbanized areas of Charlotte County. The distribution is based upon the projected residential development from a previous table in this section.

<b>Table 1.42 Projected Commercial Acreage Distribution in the Urbanized Areas</b>				
<b>Area</b>	<b>Percent Residential Projection</b>	<b>2010</b>	<b>2015</b>	<b>2020</b>
West	27.93%	5,779	6,296	6,806
Mid	59.75%	12,363	13,468	14,560
South	12.32%	2,549	2,777	3,002
Total	100.00%	20,692	22,541	24,369

Source: Charlotte County Community Development Department, September 2006. Totals may be different from the previous table due to rounding of numbers.

Population projections (and resulting calculations) include the additional seasonal increase of 22%.

### Map 1.20 Existing Commercial Centers



Industrial land use needs

Existing industrial sites total approximately 1,600 acres. The lack of industrial sites reflects the retail and service economic base of the county. In fact, the manufacturing sector only employs approximately 899 persons BLS Quotient Calculator, Agency for Workforce Innovation). Industrial sites depicted on the Existing Land Use Map include light manufacturing and wholesale facilities, heavy manufacturing facilities, which transform raw material into finished products, and transportation facilities. While industrial sites are located in each of the three urbanized areas of the county, the approval of the Airport Overlay District added approximately 2,000 acres of light industrial property to the South County planning area. The site not only offers air access, but it is also conveniently located nearby Interstate 75 and US 17. One downside is that the airport’s land can only be leased and not sold. Other industrial sites are situated in the Charlotte Harbor, Murdock, and Englewood/San Casa Road areas.

<b>Table 1.43 Existing Industrial Lands in Charlotte County, 2006</b>				
	<b>West County</b>	<b>Mid County</b>	<b>South County</b>	<b>Total Urbanized Area</b>
Acreage	625	311	688	1,624
Percentage of urbanized area	1.8%	0.72%	2.2%	1.57%

Source: Charlotte County Community Development Department, September 2006.

The projection of future industrial land use needs is based on existing development in the county. Using 2005 population data, a ratio of 0.010344 acres of industrial land per person was determined to exist in the county. This ratio was then multiplied by the projected population to project a range of future industrial land use needs as displayed in the table below. This projection is based on the existing 1.57% industrial land figure and a figure twice percentage. As with commercial land use needs, it is possible that as the county diversifies that additional industrial lands will be needed, but the economic base of the county will need to undergo substantial change.

<b>Table 1.44 Industrial Land Use Projections</b>			
<b>Year</b>	<b>Projected Population</b>	<b>1.57% Acreage Projection</b>	<b>3.14% Acreage Projection</b>
2000	172,752	2,712	5,424
2005	191,527	3,007	6,014
2010	216,916	3,406	6,811
2020	255,468	4,011	8,022

Source: Charlotte County Community Development Department, September 2006.

Population projections (and resulting calculations) include the additional seasonal increase of 22%.

Industrial distribution is based on raw available land that has not been previously subdivided into residential lots and the percentage of existing industrial development, assuming that like land uses will be aggregated. Mid and West Counties have very few large tracts of land that would be available for industrial development due to previous platting. South County with the approval of

the Enterprise Charlotte Airport Park Overlay District provides ample light industrial lands; however, there is a shortage of land for heavy industrial uses.

Recreational Land Use Needs

Charlotte County is committed to providing a variety of recreational amenities for its residents and visitors and will ensure that sufficient land and facilities are available in the future. The county has 1,102.81 acres of parkland in its inventory including 738 acres classified as regional, 190.85 classified as community, 157.52 classified as neighborhood, and 16.44 classified as mini. The following table shows the classification of parks by region of the county.

<b>Table 1.45 Existing Parkland</b>				
<b>Planning District</b>	<b>Regional</b>	<b>Community</b>	<b>Neighborhood</b>	<b>Mini Park</b>
West	381.0	43.0	34.7	2.0
Mid	267.0	114.9	65.3	12.7
South and East	90.0	33.0	57.6	1.6

Source: Charlotte County Parks, Recreation, & Cultural Resources Department, 2005

The county also has 159.13 acres of special purpose parks and 1,216.75 acres of environmental parklands. Total parkland in the county is 2,478.69 acres

The majority of active and multi-purpose parks should be located within an urban service area, especially neighborhood and community parks. Larger district parks, which serve a greater geographic area, are an exception since a location central to the region or easily accessible are important considerations. For a more detailed land use needs analysis, please refer to the Recreation and Open Space Element.

Agricultural Land Use Needs

The majority of agricultural land is located in East County, an area that comprises approximately seventy percent of the lands in the county. According the existing land use map, agricultural sites total 186,294 acres and include improved and unimproved agricultural lands. Improved agriculture lands include land cleared for agriculture production such as livestock raising, row crops, and citrus groves, and for timber production. Unimproved agricultural lands include land that has not been cleared, but which can be used for native range grazing. These lands may be cleared in the future for improved agriculture activities.

Most agricultural lands are located in rural areas and are depicted on the Future Land Use Map series in such locations. This does not preclude agricultural operations from within an urban service area boundary.

Table 1.48 Agricultural Acreage in Charlotte County				
Area	West	Mid	South	East
<b>Acreage</b>	3.5	40	7,708	178,542
<b>Percent of Agricultural Lands</b>	0.006%	0.08%	11.3%	64%

Source: Charlotte County Community Development Department, September 2006.

### C. Future Land Use Map Designations

Land use needs are displayed on the Future Land Use Map according to the classifications listed below. The *Charlotte County Zoning Atlas* further specifies the allowable uses permitted within certain locations within Future Land Use Map designated areas.

*Rural Estate Residential* lands are located primarily in rural areas that are sparsely populated or developed. Residential land uses shall range from one (1) dwelling unit per five (5) acres to two (2) dwelling units per one (1) acre.

*Coastal Residential* lands may be developed from 1 dwelling unit per acre up to a density of three and one-half (3.5) dwelling units per acre. These lands are primarily located within the Tropical Storm and Hurricane Category 1 Storm Surge zones where densities should be low due to the possibility of damage resulting from storms and coastal flooding. Permitted uses include single-family and multi-family dwelling units.

*Low Density Residential* allowing from 1 dwelling unit per acre to 5 dwelling units per gross acre is shown in yellow. From 1 dwelling unit per acre to 6 units per acre are allowed for mobile and manufactured dwelling units. Permitted uses include single-family and multi-family dwelling units, and mobile and manufactured homes.

*Medium Density Residential* permits dwelling units from 5 dwelling units per acre to 10 dwelling units per gross acre. Permitted uses include single-family and multi-family dwelling units, mobile and manufactured homes.

*High Density Residential* provides from 10 dwelling units per acre to 15 dwelling units per gross acre. Permitted uses include multi-family dwelling units, group homes, and adult congregate living facilities.

*RV Park* lands are designated for recreational vehicle campgrounds and displayed as light amber. RV Parks accommodate recreational vehicles and camping tents as temporary living quarters not exceeding 180 days for each guest. Densities range up to eight dwelling units per acre for camping and one dwelling unit per 10 acres for permanent resident units of owners/caretakers. Commercial uses that serve a park are allowed.

Commercial lands are designated as *Commercial Centers* except for Commercial Corridors. These were previously discussed and include *Sub-Neighborhood, Neighborhood, Community, Regional, and Rural Commercial Centers*.

An additional commercial designation is *Commercial Corridor*, which applies to land located along the major road corridors of US 41, US 17, SR 776, CR 775, and CR 771. Generally, these sites are platted as strip commercial areas and remain as such in this comprehensive plan; however, the designation of additional linear Commercial Corridors is prohibited except for infill development. Land may still be designated as commercial adjacent to these roadways, but must be classified as a commercial center identified in the table above. The purpose of this requirement is to ensure that commercial sites incorporate sufficient land area and depth from the roadway. Sub-neighborhood and Neighborhood Commercial Centers are not allowed along these roadways.

Industrial sites are designated on the Future Land Use Map as either *High Intensity Industrial* or *Low Intensity Industrial*. The difference between the designations centers on the permitted activities. High Intensity Industrial sites are appropriate for the manufacturing of products from raw material, whereas Low Intensity Industrial sites are appropriate for assembly, marketing, distribution, and research and design of products. Industrial lands are displayed in dark and light gray, respectively.

Agricultural lands are designated as *Agriculture* on the Future Land Use Map and are displayed in peach. Maximum residential density is one dwelling unit per 10 acres in the Rural Service Area and one dwelling unit per one acre in the Urban Service Area Overlay District.

Recreational lands are classified as *Parks and Recreation* on the Future Land Use Map and are displayed in spring green.

Uses designated as *Public Lands and Facilities* are characterized by public ownership or facilities under private ownership, which serve a general public purpose such as protecting the public health, safety, and welfare. Uses include government facilities, private utilities, private schools, churches, private hospitals, and cemeteries. Public Lands and Facilities are displayed in medium blue.

*Preservation* lands are displayed in aqua green and designate locations that are appropriate for very limited development due to environmental concerns. Maximum densities are one dwelling unit per 10 acres within the Urban Service Area Overlay District and one dwelling unit per 40 acres in the Rural Service Area.

*Resource Conservation* lands are shown in dark aqua and designation locations that will be maintained for the sustainable yield of natural resources. Maximum density is one dwelling unit per 40 acres.

*Mixed Use Areas*, which are discussed in a later section, are displayed in orange on the Future Land Use Map.

*Overlay Districts*, which are also discussed later in this element, are displayed as crosshatched patterns on the Future Land Use Map series. This pattern signifies that

special policies or development standards apply for land falling within the district. The Future Land Use designation for each parcel identifies the allowable use.

In November 1994, Charlotte County adopted a community plan for the Charlotte Harbor area. Future Land Use Map designations employed in that plan include many of those identified above and some additional ones including:

*Neighborhood Business/Residential* provides for a mixture of business and residential uses. Maximum residential density is ten dwelling units per acre.

*Commercial Tourist* provides for tourist accommodations and services, as well as recreational activities.

*Mixed Use* provides for a combination of single- and multi-family residential, commercial, and professional office land uses.

Projections for the remaining land uses within the urbanized areas are based on a ratio of existing uses to the existing population. As the population increases, a linear growth in land uses is assumed for publicly owned and health care facilities, lodges and clubs, burial grounds, mining/excavation sites, and utilities. As land is developed, the amount of vacant land is reduced. The following table displays all projected land uses for Charlotte County through the planning horizon of 2020. The projections reflect the median acreage ranges for commercial and industrial land uses.

### **Mixed Use Areas**

For the most part, development in the county was not planned in a mixed-use fashion which would have discouraged urban sprawl patterns by providing for a variety of uses in close proximity to one another. The implementation of mixed-use districts, which are encouraged in Rule 9J-5, Florida Administrative Code, should improve linkage between land uses; provide more variety within an area, and aid in the development or redevelopment of an area. The Future Land Use Map designates Developments of Regional Impacts, which are discussed earlier, as mixed-use areas and provides this designation for New Communities and Rural Communities if applicable to an approved development project. New and Rural Communities may be designated as a DRI if the threshold is met or may not be designated as such; in any manner, such developments would be classified as a Mixed Use designation on the Future Land Use Map series.

*DRI Mixed Use District.* DRIs are approved after receiving intergovernmental review at the local, region, and state levels and meeting the requirements of Chapter 380.06, Florida Statutes. Development within a DRI proceeds in accordance to a master development order and its accompanying map. The development order map guides construction activities for the DRI and is incorporated within the Future Land Use Map series. Amendments to the development order may result in changes to the D.O. map, but not the overall Future Land Use Map, which remains a mixed-use district.

*New Communities and Rural Communities Mixed Use Districts.* New Communities and Rural Communities are approved proposals, which are to be developed in accordance with a master plan approved by the Board of County Commissioners. They are to be self-supporting developments that provide a mix of economic and social activities.

*New Communities.* New Communities are intended to be developed in the West, Mid, or South County planning areas and designated as a Mixed Use area on the Future Land Use Map as either a Development of Regional Impact or New Community. The New Community concept is analogous to new towns identified in Chapter 9J-5, Florida Administrative Code. The concept is the same, but the name has been changed in order to reduce the confusion that could arise with individuals believing that the development is under a separate government entity other than Charlotte County. These types of development would occur in unincorporated Charlotte County and not within a new municipality. The approval of a New Community requires a large-scale comprehensive plan amendment. The Future Land Use Map, as adopted in 1997, does not designate any New Communities; however, this comprehensive plan establishes the framework for which proposed New Communities can be applied for, approved, and developed. The developer(s) of a proposed New Community shall be required to prepare a master development plan that will undergo review by the Community Development Department and other applicable county departments, such as Public Works, Environmental Services, and others. County departments may request that the applicant(s) revise the master plan application to improve the development pattern/standards and also to comply with county codes. Upon conclusion of county staff review, the master plan is presented to the Local Planning Agency (Planning and Zoning Board) for a recommendation and to the Board of County Commissioners for a decision on whether to transmit the proposal to the Department of Community Affairs, Department of Environmental Protection, South Florida Water Management District, Southwest Florida Water Management District, Southwest Florida Regional Planning Council, and Florida Department of Transportation for a formal Objections, Recommendations, and Comments Report (ORC). Upon receipt of the ORC, the county shall consider adoption of the proposed master plan. In order to receive approval, a New Community proposal shall be consistent with Chapter 187, Florida Statutes (State Comprehensive Plan), Chapter 163, Florida Statutes, and Chapter 9J-5, Florida Administrative Code, with particular attention to Rule 9J-5.006(5).

New Communities shall be of significant size to be a self-sufficient community offering residential, commercial/industrial, recreational, and employment opportunities. In order to include enough land to achieve self-sufficiency, a minimum of 1,000 acres should be included within a development and minimum and maximum percentages of allowable uses permitted. Residential uses should include a minimum of 50% and maximum of 80% of the land area and shall be based at minimum upon the Low Density Residential Future Land Use Map designation. A combination of commercial and/or industrial uses should fall between 10% and 25%, and recreation uses and open space uses each totaling a minimum of 5% of a New Community should be included. There is no maximum for recreation or open space land uses. Further, central potable water and sanitary sewer service to serve a New Community must be a condition for master plan approval; the provision of these services shall maximize the use of existing infrastructure.

The issues of urban sprawl and a large existing inventory of vacant platted lots are foremost concerns regarding new, large-scale developments in Charlotte County. The self-sufficiency requirement described above should alleviate urban sprawl concerns, but the problems associated with an excess supply of platted lots needs to be addressed as part of a New Community approval process. This comprehensive plan seeks to reduce the numbers of vacant platted lots by at least one percent per year over the next several years. In order to offset the potential for substantial increases in the numbers of platted lots, at least a one-for-one transfer of density units and associated density from targeted Sending Zones will need to be included within any New Community proposal. In addition, transfer of density units can be sent from land in which a landowner develops a voluntary resource conservation management plan as described in the Natural Resources and Coastal Planning Element. Sending zones for density units transference shall not be located within Infill areas since those locations are where the majority of development should occur. Transfer of density units can also be used to advance overall planning goals for the county by removing density from the “A” and “V” flood zones, which are most vulnerable to coastal flooding, the Coastal High Hazard Area (Tropical Storm and Category 1 Hurricane Storm Surge zones), or jurisdictional wetlands through the provision of density bonuses.

A transfer of density units requirement is similar to that which occurred in order to get the Caliente Springs (a.k.a. Tern Bay) Development of Regional Impact approved in the spring of 1994. For the Caliente Springs case, 371 acres in a platted subdivision in West County were removed from the Urban Service Area and the Future Land Use Map designation was changed to Preservation from Low Density Residential. The Caliente (a.k.a. Tern Bay) DRI is planned to provide a variety of land uses where the sending zone was previously comprised of one Future Land Use designation. Further, the county has a TDU ordinance (04-067) in place to be utilized for such actions.

Upon transferring density units from a particular parcel or site, a document shall be recorded in Charlotte County, which identifies the severance of development rights. This shall include a covenant whereby the land would remain in private ownership or transference of deed to the county, state, or federal government. These actions shall take place prior to commencing any development activity within a New Community.

Although the comprehensive plan does not designate any New Communities on the Future Land Use Map, the following locational criteria is established for New Communities:

- a. New Communities shall not be located within the Coastal High Hazard Area (Tropical Storm and Category 1 Hurricane Storm Surge zones) since these areas are highly susceptible to damage from tropical storms and hurricanes; and
- b. New Communities shall not be allowed to be developed in environmentally sensitive areas designated as Resource Conservation or Preservation on the Future Land Use Map series.

The New Community concept is needed in Charlotte County for a variety of reasons. The vast majority of the county’s approximate 138,000 vacant lots in West, Mid, and South Counties are platted in 1950's style subdivisions. These ¼-acre sites are delineated primarily as Low Density

Residential on the Future Land Use Map. This is one of the indicators of urban sprawl as defined by the Department of Community Affairs in that it “fails to encourage an attractive and functional mix of uses”, increases “the cost of providing and maintaining facilities and services”, and “promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development”. With the transfer of density units requirement, these platted areas would be reduced as part of the development process, thereby eliminating this form of urban sprawl in that location. The platted areas would be left as open space or habitat land, or a New Community could be developed over an existing platted area such as that occurring with the Riverwood Development of Regional Impact. The transferring of density units would reduce the county’s current urban sprawl situation and replace it with more viable communities which provide a vibrant mixture of uses and opportunities while reducing the costs of infrastructure and service provision and maintenance.

New Community sites need to be selected to utilize existing infrastructure and services. Such proposals should have access via major existing roads such as US 41 or SR 776. Central potable water and sanitary sewer service should be provided by a utility(s) that already serves a nearby location so that line extensions are accomplished in progression between existing and new development sites. The service area for a utility provider(s) may need to be increased in some cases; therefore, application would also need to be submitted to the utility regulatory agency which in the case of a private utility is the Florida Public Service Commission. Recreational and open space uses shall be provided by a New Community in order to serve the population.

An objective of the Urban Service Area strategy is that urban development should be located within Infill areas. New Communities may develop within an Infill area; however, there is the possibility that such a proposal may occur within a Suburban or Rural area of the urbanizing West, Mid, or South County planning areas. Although the county would like to achieve this objective, it is not guaranteed since approximately 90,000 to 100,000 of the vacant lots/parcels are not located within Infill areas. These lots/parcels are owned by individuals who have personal property rights and reasonable expectations for development upon them. It is further contemplated that not all future urbanized development will occur within Infill areas - if so, the objective would be 100%. The transfer of density units requirement could offset development which could occur in Suburban areas and outside of Infill locations. In such a case, development that would have occurred outside of Infill areas would be relocated while also reducing the county’s urban sprawl situation since a proposal must demonstrate how existing infrastructure and services will be maximized and how the proposal is consistent with the comprehensive plan.

The Department of Community Affairs has acknowledged that New Communities and Rural Communities can create livable environments without destroying an area’s character while safeguarding against the unwanted characteristics of urban sprawl (Technical Memo, Volume 4, Number 4, Florida Department of Community Affairs). Additionally, DCA’s Chapter 9J-5 of the Florida Administrative Code makes provisions for New Towns, Rural Villages, and Rural Activity Centers by stating:

“The Department encourages innovative and flexible planning and development strategies and creative land use planning techniques in local plans. Planning strategies and techniques such as urban villages, new towns, satellite

communities, area-based allocations, clustering and open space provisions, mixed-use development and sector planning that allow the conversion of rural and agricultural lands to other uses while protecting environmentally sensitive areas, maintaining the economic viability of agricultural and other predominantly rural land uses, and providing for the cost-efficient delivery of public facilities and services, will be recognized as methods of discouraging urban sprawl and will be determined consistent with the provisions of the state comprehensive plan, regional policy plans, Chapter 163, Part II, and this chapter regarding discouraging the proliferation of urban sprawl.”

The *Compact Growth Mixed Use* is located in the Urban Service Area. The CGMU must contain a combination of at least two land uses consisting of residential, commercial, office/medical/institutional or industrial. To best achieve a mix of land uses, projects shall be developed within the range of 50-400 sq. ft of nonresidential building space per one (1) residential unit. This Mixed Use designation is categorized by three types of CGMU: Type I, II and III. Type I is the least dense and intense and can be located anywhere in the county. Types II and III are appropriate for a more dense and intense style of development called “node development”. Node development is defined as a centralized, highly dense and intense, mixed use development. Node development is appropriate along SR 776, US 41, and US 17.

Lands designated as *US 41 Overlay Mixed Use* are allowed a mix of commercial, institutional, office, and residential uses. The purpose of the district is to allow redevelopment and new development within the commercial corridor to build to a greater density, giving the area a more urban feel, creating a more attractive economic and business climate, and complementing the County’s beautification efforts.

*Rural Communities.* Rural Communities are intended to be developed in the East County planning area and designated as a Mixed Use designation on the Future Land Use Map as either a Development of Regional Impact or Rural Community. The Rural Community concept is analogous to rural villages identified in Chapter 9J-5, Florida Administrative Code. The concept is the same, but the name has been changed in order to reduce the confusion that could arise with individuals believing that the development is under a separate government entity other than Charlotte County. These types of development would occur in unincorporated Charlotte County and not within a new municipality. The designation of a Rural Community requires a large-scale comprehensive plan amendment. The 1997 Future Land Use Map does not designate any Rural Communities. As with a New Community, a landowner(s)/developer(s) of a Rural Community must receive approval for a master development plan from the Board of County Commissioners. The approval process involves county staff review, as well as an interagency review by the Department of Community Affairs, Department of Environmental Protection, South Florida Water Management District, Southwest Florida Water Management District, Southwest Florida Regional Planning Council, and Florida Department of Transportation for an Objections, Recommendations, and Comments Report prior to adoption hearings. In order to receive approval, a Rural Community proposal shall be consistent with Chapter 187, Florida Statutes (State Comprehensive Plan), Chapter 163, Florida Statutes, and Chapter 9J-5, Florida Administrative Code, with particular attention to Rule 9J-5.006(5).

East County is rural; most existing land uses are classified as improved or unimproved agriculture, extractive industry, or open space/conservation lands. Residential uses comprise only a very small percentage of land uses. Numerous homes are located in the vicinity of State Road 31 just north of Lee County; along County Road 74; south of the DeSoto County line; and east of US 17. The homes are relatively unclustered, reflecting the predominant minimum acreage requirement of one dwelling per ten acres. Persons employed in East County have few housing choices - either reside on a large tract of land that is greater than ten acres, live in housing provided by an employer, or commute from 10 to 30 miles one way from urbanized areas. As agricultural lands are improved during the next several decades, additional jobs will be created in East County and permanent, nearby housing will be needed. A Rural Community would provide needed home sites, a better jobs-to-housing balance, and promote a variety of density in an area that is one-dimensional in this regard. In addition, agricultural landowners in East County may be better able to obtain financial assistance, such as bank loans, for their agricultural operations due to the inclusion of the Rural Community concept in the comprehensive plan. Loans are made based on land value, and the potential for a Rural Community development concept may provide for higher land values and, therefore, more borrowing power for continued agricultural operations.

Rural Communities shall be of significant size so as to be a self-sufficient community; a minimum of 500 acres is required. A Rural Community shall maintain the characteristics of its surrounding environment. Therefore, residential development shall be based on the Rural Estate Residential Future Land Use Map designation, which has a maximum density of two dwelling units per acre. The use of the Rural Estate Residential designation provides for relatively large estate lots. An exception of lot size can be made in order to cluster development; however, the overall density cannot be greater than 2 dwelling units per acre. Residential uses shall constitute a minimum of 50% and maximum of 80% a Rural Community. The use of centralized utilities shall be required when development is clustered. A Rural Community shall provide a mixture of land uses including commercial activities which provide employment and shopping opportunities for residents. Therefore, commercial/industrial uses shall range from 10% to 25% of a Rural Communities. Recreation and open space shall also be included as part of the overall development in order to provide common use areas and should each total a minimum of 5% of the land area. A traffic circulation plan with appropriate access management controls shall be included within a Rural Community.

In addition to the requirements above, a proposed master development plan for a Rural Community shall identify land uses, densities and intensities; population projections; an evaluation of urban sprawl potential; commitment to avoid or mitigate the potential for urban sprawl; and demonstrate affects on land and population within the Urban Service Area. As with a New Community, a transfer of density units is required for approval of a Rural Community. This will offset the potential for substantial increases in the number of platted lots in Charlotte County. A minimum of a one-to-one density transfer from targeted platted areas shall be required. Sending zones for density units transference shall not be located within Infill areas since those locations are where the majority of development should occur. Transfer of density units can also be used to advance overall planning goals for the county by removing density from the "A" and "V" flood zones which are most vulnerable to coastal flooding, the Coastal High Hazard Area (Tropical Storm and Category 1 Hurricane Storm Surge zones), or jurisdictional

wetlands through the provision of density bonuses. In addition, transfer of density units can be sent from land in which a landowner develops a voluntary resource conservation management plan as described in the Natural Resources and Coastal Planning Element

Upon transferring density units from a particular parcel or site, a document shall be recorded in Charlotte County which identifies the severance of development rights. This shall include an easement whereby the land would remain in private ownership or transference of deed to the county, state, or federal government. These actions shall take place prior to commencing any development activity within a Rural Community.

Although the comprehensive plan does not designate any Rural Communities on the Future Land Use Map, the following locational criteria is established for Rural Communities:

- a. Rural Communities shall not be located within the Coastal High Hazard Area (Tropical Storm Surge and Category 1 Storm Surge zones) since these areas are highly susceptible to damage from tropical storms and hurricanes; and
- b. Rural Communities shall not be allowed to be developed in environmentally sensitive areas designated as Resource Conservation or Preservation on the Future Land Use Map series or in areas of prime aquifer recharge.

This comprehensive plan takes a firmer stance on growth management and urban sprawl issues through the Urban Service Area strategy than did the 1988 version. This plan also establishes the framework whereby future developments, such as New Communities and Rural Communities, incorporate newer planning standards prior to receiving final approval. These newer planning standards will guard against urban sprawl, and are vastly different from those standards, which were in use when large scale platting occurred in Charlotte County. Linking the provision of New Communities and Rural Communities with transfers of density units from platted areas can serve to improve Charlotte County's future by addressing and improving issues created by past actions. Like Charlotte County, the Department of Community Affairs recognizes that preexisting situations should not stand in the way of improving communities when communities attempt to resolve situations by various means. Chapter 9J-5 indicates that "if a local government has in place a comprehensive plan found in compliance, the Department shall not find a plan amendment to be not in compliance on the issue of discouraging urban sprawl solely because of preexisting indicators if the amendment does not exacerbate existing indicators of urban sprawl within the jurisdiction." In Charlotte County's case, the transfer of density units requirement, as well as the infrastructure and self-sufficiency requirements, of New Communities and Rural Communities address the issue of urban sprawl.

### **Overlay Districts**

Overlay districts are a component of the Future Land Use Map series whereby land within a specified boundary may have special regulations in which to comply or are appropriate for a special type of development. Five districts comprise the county's overlay districts - Special Surface Water Protection Overlay District, Bridgeless Barrier Island Overlay District, Airport Commerce Park Overlay District, Burnt Store Planning Overlay District, Babcock Ranch Overlay District and the Urban Service Area Overlay District. The Urban Service Area Overlay

District, designated as Future Land Use Map series #2, is discussed in the next section. The remaining overlay districts are discussed below.

*Special Surface Water Protection Overlay District.* This district was enacted to protect the potable water sources for the City of Punta Gorda. Chapter 65-1367, Laws of Florida, acknowledges the special value of Shell and Prairie Creeks and their tributaries for the city. Charlotte County also recognizes the importance of this water supply and has adopted special development review requirements for land within the district. Additionally, certain uses deemed as potentially dangerous to the water supply are prohibited within the district. Future Land Use Map series # 3 displays this overlay district for the county.

*Bridgeless Barrier Island Overlay District.* The Bridgeless Barrier Island Overlay District consists of a bridgeless barrier island chain in West County. This overlay district restricts new residential densities to a maximum of one dwelling unit per one gross acre. The district is depicted on Future Land Use Map series #4.

*Enterprise Charlotte Airport Park Overlay District.* The designation covers the Charlotte County Airport and surrounding properties. The overlay serves to designate a distinct area where specific land use standards and regulations are implemented to guide the development of uses and structures in a manner that will enhance the social and economic resources of the County. The designation allows for a mix of uses.

*Burnt Store Planning Overlay District.* The district is generally centered along Burnt Store Road with a boundary north to south from Green Gulf Boulevard to the Lee County line and from east to west from US 41 to the Gulf of Mexico. The overlay provides a development guide that includes a mix of housing types, densities, and commercial uses, integrated with open space and wildlife corridors, and connected through a well-functioning road system.

*Babcock Ranch Overlay District.* The district is located in the East County planning area. The district is north of and adjacent to the Charlotte-Lee County line, east of SR 31 and south of CR 74. It comprises 18% of the Babcock Ranch holdings in Charlotte County. The overlay provides a development guide that includes a mix of communities, residential types, densities and commercial/industrial uses that are integrated with open space and a multi-modal transportation system.

## **V. Growth Management Strategy and Analysis of Available Facilities and Services**

Growth management is the implementation of a community's vision of itself, incorporating *all* aspects of a community - protection of natural resources, provision of recreational opportunities, the fostering of a healthy economic environment, and, perhaps most importantly, safeguarding of the quality of life enjoyed by residents and visitors. In short, growth management is the application of thoughtfully written plans and ideals, implemented through carefully developed economic incentives and land use regulations to assure that growth pays its own way.

The mechanical aspects of growth management involve directing the timing, location, and intensity of growth which is accomplished through the planning and regulation of a jurisdiction to ensure that the development of land to progressively more intense uses is coordinated with the delivery of infrastructure and public services to serve the subject properties. The delivery of infrastructure and services must be addressed in capital improvements budgeting and planning in both the private and public sectors.

Growth management is important to Charlotte County for numerous reasons. A sound strategy will ensure that infrastructure and services are provided in the most efficient manner at the least cost to the community. Public and private providers can deliver better quality products serving the greatest number of people when development is concentrated within and near urban cores. This concentration of development provides the greatest benefits to the greatest number of persons.

Urban sprawl, which is the opposite of concentrated growth, is a far more expensive and inefficient way for land to be developed. Rule 9J-5, Florida Administrative Code, establishes guidelines for identifying and discouraging urban sprawl. The growth management strategy incorporated within this comprehensive plan is developed and implemented with the urban sprawl rule in mind. Characteristics of urban sprawl identified by this rule include lands which have been prematurely converted from rural lands; lands in which development is not functionally related to adjacent areas; and lands which fail to maximize the use of existing public facilities. Patterns of urban sprawl include leapfrog or scattered development, strip commercial development, and large expanses of single-use development.

Due to past practices, Charlotte County can be considered an urban sprawl community. The county is characterized by strip commercial development lining the major urban corridors, large expanses of single-family home sites which have been platted and are deemed vested for development, and scattered development which has resulted from various development pressures. Most academic sources, however, point only to the downside of urban sprawl without identifying its positive aspects. In Charlotte County, these past practices have at least kept the cost of home and business ownership low.

The growth management strategy embodied within this comprehensive plan attempts to govern development without sacrificing the positive aspects of urban sprawl. It also establishes areas whereby Future Land Uses and infrastructure are linked to existing and future population growth.

The Future Land Use Map does not accomplish this alone - the growth management strategy achieves it.

The following techniques will be considered by Charlotte County to properly manage growth:

1. Urban service area strategy linked to public improvements;
2. Public land acquisition and management;
3. Environmental controls;
4. Transfers of density units;
5. Tax and fee systems;
6. Land development regulations; and
7. Special districts.

### **A. Urban Service Area Strategy**

The primary growth management tool used by Charlotte County is the urban service area concept. Urban service areas (USA) are locations within a jurisdiction that are planned to receive publicly funded infrastructure and services within a planning timeframe. Lands located within an urban service area should receive higher densities than those lands located outside it. Charlotte County, like other platted lands communities, has permitted the subdivision of more land than is needed to serve its future population during the next planning period. Private citizens have purchased lots with the reasonable expectation that they can build upon those properties. While this past practice may not be considered good planning, it must be acknowledged. The 1988 comprehensive acknowledged this by including all of the platted lands within the urban service area boundary. That boundary was approximately 215 square miles and is depicted on Map 1.21. *The 1988 boundary was really an urban growth boundary rather than an urban service area.* In order to direct and manage growth more precisely, this comprehensive plan reduces the urban service area to be more in line with projected land use needs. Allocation of developable land is controlled through this provision of infrastructure and services.

The rate of development is dependent upon the availability of infrastructure and services. The State of Florida's concurrency requirement links the provision of adequate public facilities to new development. Local governments are required to adopt and maintain minimum levels of service (LOS) standards for roads, sanitary sewer, solid waste, potable water, drainage, parks and recreation, and mass transit, if applicable. Those LOS standards are identified in this section, but are discussed in greater detail in their associated elements. The Capital Improvements Element provides a financially feasible plan for ensuring that publicly provided services are available to manage the impacts of development by demonstrating that adopted levels of service will be maintained.

The revised Urban Service Area Overlay District is divided into two sub-areas, Infill and Suburban, which are discussed in detail in this section. The revised 1997 Urban Service Area Overlay District is approximately 187 square miles, a reduction of approximately 28 square miles from the original 215 square miles. Since 1997, the Urban Service Area boundary (infill and suburban) has been modified and now incorporates approximate 131,472 acres (205 square miles). The Infill area represents the locations in which Charlotte County will actively pursue the

provision of the highest levels of infrastructure and services. In this regard, it becomes the primary locations for new and existing urban development. The Infill area is approximately 96 square miles of which 13 are within the City of Punta Gorda. Therefore, the Infill area of unincorporated Charlotte County is 83 square miles. This total is consistent with the population projections and land needed for the year 2020 - the planning time frame. The Suburban Area is approximately 109 square miles. In order to discourage significant new development in these areas, Charlotte County will not actively provide the highest levels of infrastructure and service unless a public health, safety, or welfare issue is involved. For the most part, landowners who purchased property with development expectations may still be able to develop, but must fund the infrastructure improvements themselves. This action reduces the county's service area to 46% of the 1996 Urban Service Area (including the 13 square miles located within Punta Gorda). The county aims to have 90% of its new urbanized development locate within the Infill areas in order to manage growth more effectively.

The Urban Service Area Overlay District corresponds to the needed land area identified earlier in this chapter. For 2000, the unincorporated county will require approximately 39,321 acres or 61 square miles for urban development; for 2005, 44,939 acres or 70 square miles; for 2020, 50,497 acres or approximately 79 square miles. In this manner, the Urban Service Area strategy serves as the technique by which land uses are allocated in this comprehensive plan. This is the key to growth management in Charlotte County due to the platted lands situation.

Concurrency will be enforced through the "current planning" and development review processes. The availability of infrastructure and services will be evaluated for comprehensive plan amendments and rezonings to higher intensity land uses and should be approved only when adequate public facilities are available to manage development impacts. The development review process is the final check for adequate public facilities. In most cases, public facilities must be in place prior to the issuance of a certificate of occupancy as required by Rule 9J-5, Florida Administrative Code.

For Charlotte County, two distinct service areas are established within the urban service area strategy. The first is Urban Service Area, which is further defined as Infill and Suburban. The second is Rural Service Area.

#### **Urban Service Area Overlay District.**

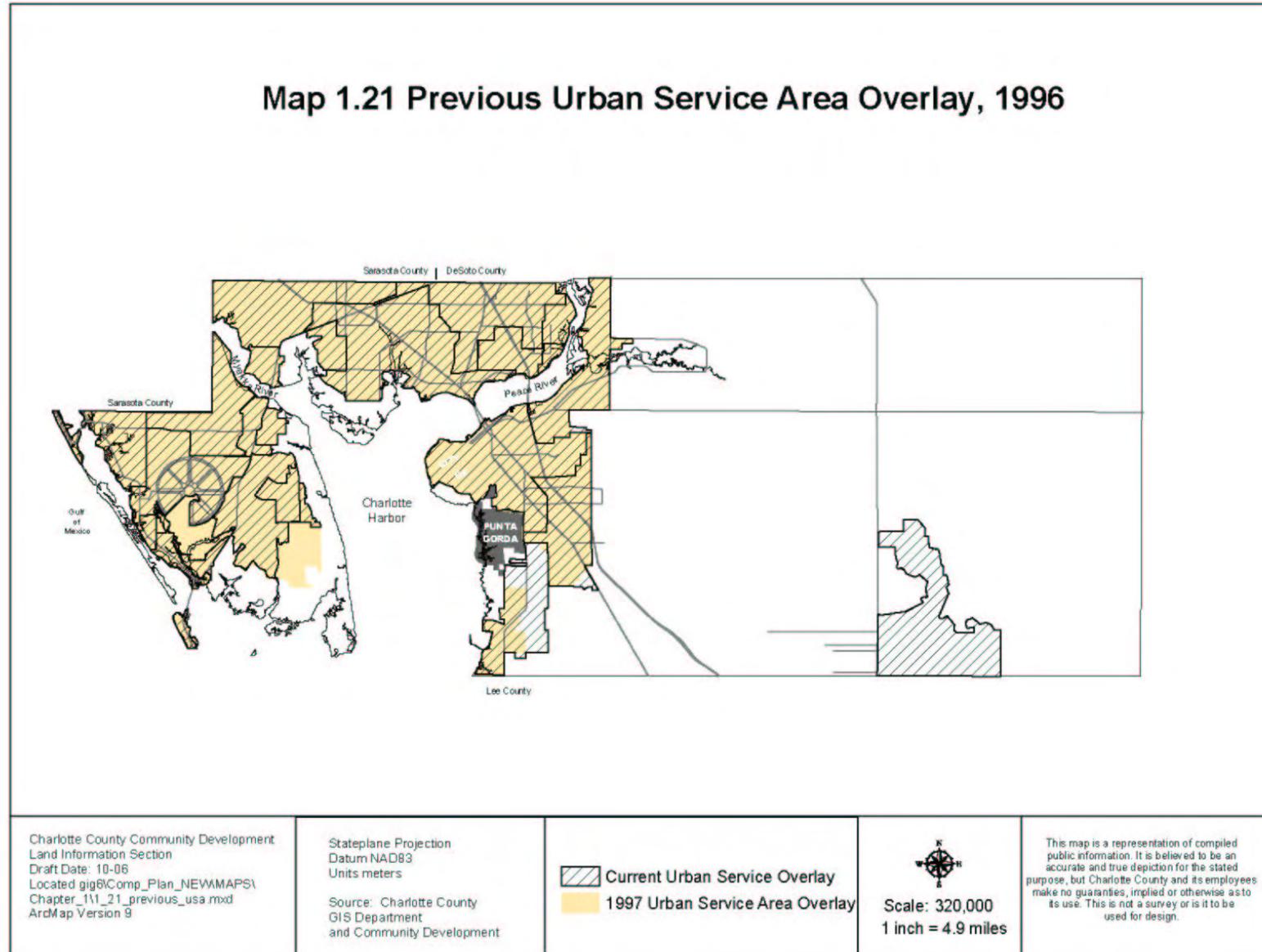
Urban service areas are locations within Charlotte County representing an outer limit for areas that will receive higher levels of *publicly* funded infrastructure and services within the comprehensive plan's period until 2020. Land within an urban service area boundary should be designated to receive higher density development than land within the rural service area, which is generally located outside the boundary. Typically, the urban service area places a physical limit on the extension of public infrastructure and services. Charlotte County can control the provision of *public* infrastructure and certification of private provider service areas through the comprehensive plan in order to manage growth, but not the extension of *private* infrastructure in *previously approved* certificated areas. Those approved certifications grant private utility companies the right to provide service(s) within a designated location.

Utility providers are encouraged not to extend services outside the Urban Service Area Overlay District boundary, and new certifications should not be permitted outside the boundary. Exceptions should be made for self-supporting developments, such as Developments of Regional Impact or for proposals that meet the standards for "new towns" as defined by Chapter 163, Part II, Florida Statutes and Rule 9J-5, Florida Administrative Code.

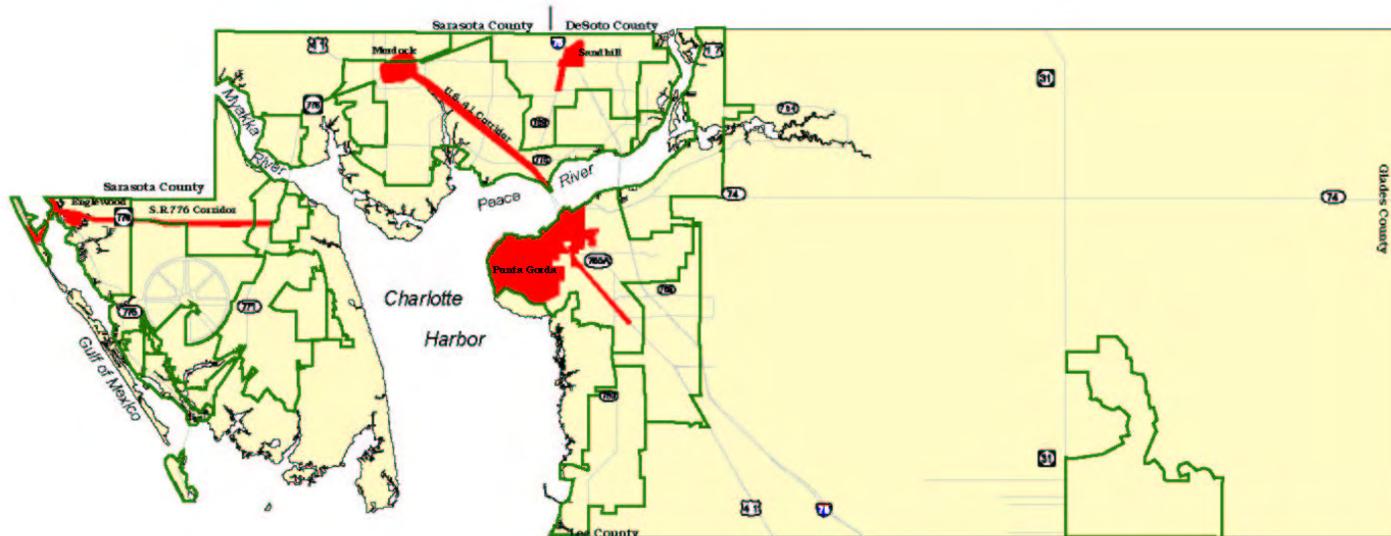
Publicly provided urban services and infrastructure provided within a USA boundary include central potable water and sewer service, libraries, higher levels of fire/EMS and police protection, stormwater management facilities, solid waste collection, schools, parks and recreational sites, mosquito control, transportation disadvantaged service, and roads. Maintenance of facilities within the Urban Service Area Overlay District will be a higher priority than those located outside the boundary.

Land uses within urban service areas are generally higher in intensity than those located outside the boundary. These areas provide the majority of land for existing and future residential development, employment centers, and industrial activities. Within Charlotte County, several important activity nodes of intensive activities exist around which urban service areas should be designated. These include Murdock, Sandhill, and the US 41 corridor in Mid County, Englewood in West County, and Punta Gorda in South County. Activity nodes are identified on Map 1.22.

### Map 1.21 Previous Urban Service Area Overlay, 1996



### Map 1.22 Activity Nodes of Charlotte County



Charlotte County Community Development  
 Land Information Section  
 Draft Date: 10-06  
 Located: gig6\Comp\_Plan\_NEWMAPS\  
 \Chapter1\_22\_Activity\_Nodes.mxd  
 ArcMap Version 9.1

Stateplane Projection  
 Datum NAD83  
 Units: meters  
 Source: Charlotte County Community  
 Development Department

■ Activity Nodes  
 Urban Service Area Overlay

  
 Scale 1:333,000  
 1 inch = 5.25 miles

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.

The two divisions within the Urban Service Area Overlay District are **Infill and Suburban areas**.

*Infill Areas* are those that have already experienced moderate to significant levels of urban development. In order for an area to be designated as infill, it must have obtained, in general, a 30% buildout density. The majority of existing urban services and infrastructure are concentrated within these areas, and include central potable water and wastewater treatment, road and drainage construction and maintenance, public education facilities, parks, libraries, and higher levels of police, fire, and emergency medical services.

Infill areas will be the priority areas in which the county will deliver most of its infrastructure improvements and the highest service levels. Residents living in these areas can expect to receive central potable water and sewer service and road and drainage improvements and higher levels of maintenance. Fire/EMS and police response times will be at their lowest and many public buildings, such as libraries, will be located in Infill areas.

*Suburban Areas* are, for the most part, undeveloped platted lands and parcels; however, there are scattered homes and businesses located in the areas. Service levels within Suburban areas are planned to be very low because the majority of development is directed to Infill Areas. Once Infill Areas become more fully developed, a need will exist for additional developable land. That need will be filled by redesignating land located in Suburban Areas as Infill. The majority of land within Suburban Areas will not likely be built upon through 2020. While the county will not actively pursue the provision of higher levels of infrastructure and services to Suburban Areas unless a public health, safety, or welfare concern is present, the County may provide such at the request of landowners or through community planning efforts. Funding for increased infrastructure and services may be provided through various funding methods including Municipal Services Benefit Units (MSBUs), which are paid by the affected landowners.

**Rural Service Area.** The remainder of Charlotte County, which is not located within an urban service area, is designated as rural service area. Services provided include garbage collection, mosquito control, roadway and drainage maintenance, and fire/EMS and police protection. Although services are provided, the levels of service may not be as high as within an urban service area. For example, the Bayshore Volunteer Fire District headquartered in Lee County provides fire protection for much of East County. This, combined with a large geographic region, results in significantly higher fire response times when compared to protection within an urban service area.

Central potable water and sanitary sewer services are generally not provided within rural service areas; however, previously approved service or certificated areas may exist. In such situations, the utility company may provide service. In the case of Charlotte County Utilities (CCU), the government owned and operated utility under the control of the Board of County Commissioners, the utility will *simultaneously* extend both central potable water and sanitary sewer service when legally demanded by a customer. The customer, however, will bear the full cost of service extension without the benefit of reimbursement as additional customers connect to the extended line. This provides a disincentive for customers of CCU who can legally demand utility service within a rural service area. Certification of new utility services and the extension

of central potable water and sanitary sewer services is prohibited within a rural service area unless it is a component of a large scale, self-supporting development proposal such as a DRI or New Community within the three urbanized areas of the county (West, Mid, or South). In addition, major transmission lines may cross within a rural service area between urban service areas. In such cases, the location of the transmission line does not construe justification for service availability in the rural service area or development at urban intensities.

Rural Service Areas are located primarily within the southern, northwestern, eastern, and bridgeless barrier island sections of Charlotte County. They are characterized by agricultural lands or very low-density residential development. In a few instances, previously platted subdivisions, which are not likely to be developed for several years, are included within rural service areas. For the most part, new higher density urban type development will not be permitted in rural service areas and urban infrastructure will not be provided unless a proposed development is one of those types identified in the previous paragraph. As urban services areas become developed, additional land from rural service areas may be redesignated as urban service area and would be appropriate for higher intensity development.

The Urban Service Area Overlay District map is displayed as Future Land Use Map Series #2 and is a component of that freestanding series.

### **USA Determination**

Defining an area's boundary is an important factor. Transportation Analysis Zones (TAZs) were established for Charlotte County while the Metropolitan Planning Organization's Long-Range Plan was being developed during 1993-94. Those TAZs, used for transportation analyses, are based on US Census tracts and geographic and physical boundaries. For the purposes of comprehensive planning, the TAZ areas are being used, but are now referred to as Planning Analysis Zones (PAZs), for determining sub-areas. Their use ensures consistency between land use, infrastructure, and transportation planning in Charlotte County.

The PAZs comprise one layer of data within the county's Geographic Information System. This layer is combined with other data layers, such as the Existing Land Use Map, and computer modeling is performed. Infrastructure and services that are analyzed for each zone include roads, potable water service, wastewater service, fire and police protection, emergency medical services, hospitals, stormwater management facilities, solid waste collection, parks and recreational sites, and libraries. Additionally, factors other than infrastructure and services, which are considered, include existing and future populations and demographics.

Buildout percentage of platted lots and parcels forms the starting point for developing a revised urban service area. The following tables summarize buildout percentage for each PAZ within the urbanized areas of Charlotte County, excluding the City of Punta Gorda, and which were within the previous 215 square mile urban service area. The following three maps display these PAZs. Areas with greater than 50% buildout are shown in yellow; areas between 30% and 49.9% are blue; and areas less than 30% are green.

<b>Table 1.49 Buildout of West County Planning Analysis Zones</b>	
<b>Buildout Percentage</b>	<b>Zones</b>
Greater than 50%	725, 741, 742, 744, 747, 762, 770, 778, 779, 786, 794, 810, 818, 821, 826, 828, 837, 840, 872
30% to 49.9%	730, 732, 748, 786, 787, 792, 796, 799, 814, 848, 851, 854, 858, 859, 861
0% to 29.9%	713, 733, 735, 737, 745, 750, 752, 753, 783, 789, 804, 805, 811, 812, 813, 816, 830, 835, 838, 839, 843, 847, 850, 853, 857, 860, 863, 866

Source: Charlotte County Community Development Department, September 2006.

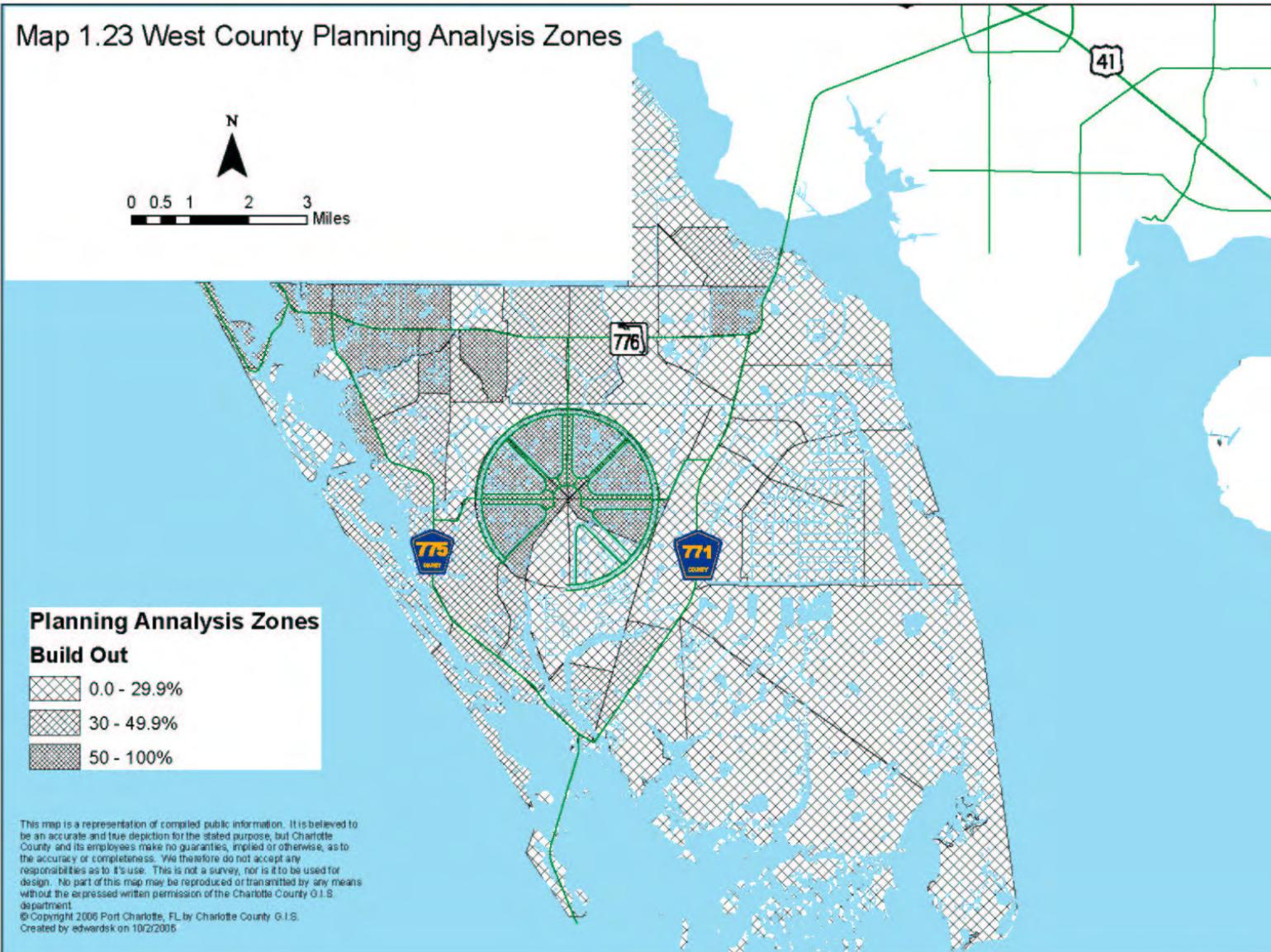
<b>Table 1.50 Buildout of Mid County Planning Analysis Zones</b>	
<b>Buildout Percentage</b>	<b>Zones</b>
Greater than 50%	630, 632, 634, 636, 644, 653, 656, 667, 676, 683, 684, 689, 704, 708, 709, 714, 715, 718, 721, 727, 729
30% to 49.9%	646, 657, 681, 710, 720
0% to 29.9%	623, 629, 650, 652, 686, 708, 711

Source: Charlotte County Community Development Department, September 2006.

<b>Table 1.51 Buildout of South County Planning Analysis Zones</b>	
<b>Buildout Percentage</b>	<b>Zones</b>
Greater than 50%	719, 743, 754, 755, 756, 757, 782, 785, 793, 800, 803, 806, 808, 825, 831, 846, 849
30% to 49.9%	674, 693, 734, 739, 751, 791, 809, 829, 833, 834, 842, 845, 855, 856
0% to 29.9%	702, 738, 740, 766, 768, 802, 815, 819, 822, 823, 824, 852, 862, 864, 865, 867, 868, 869, 875, 884

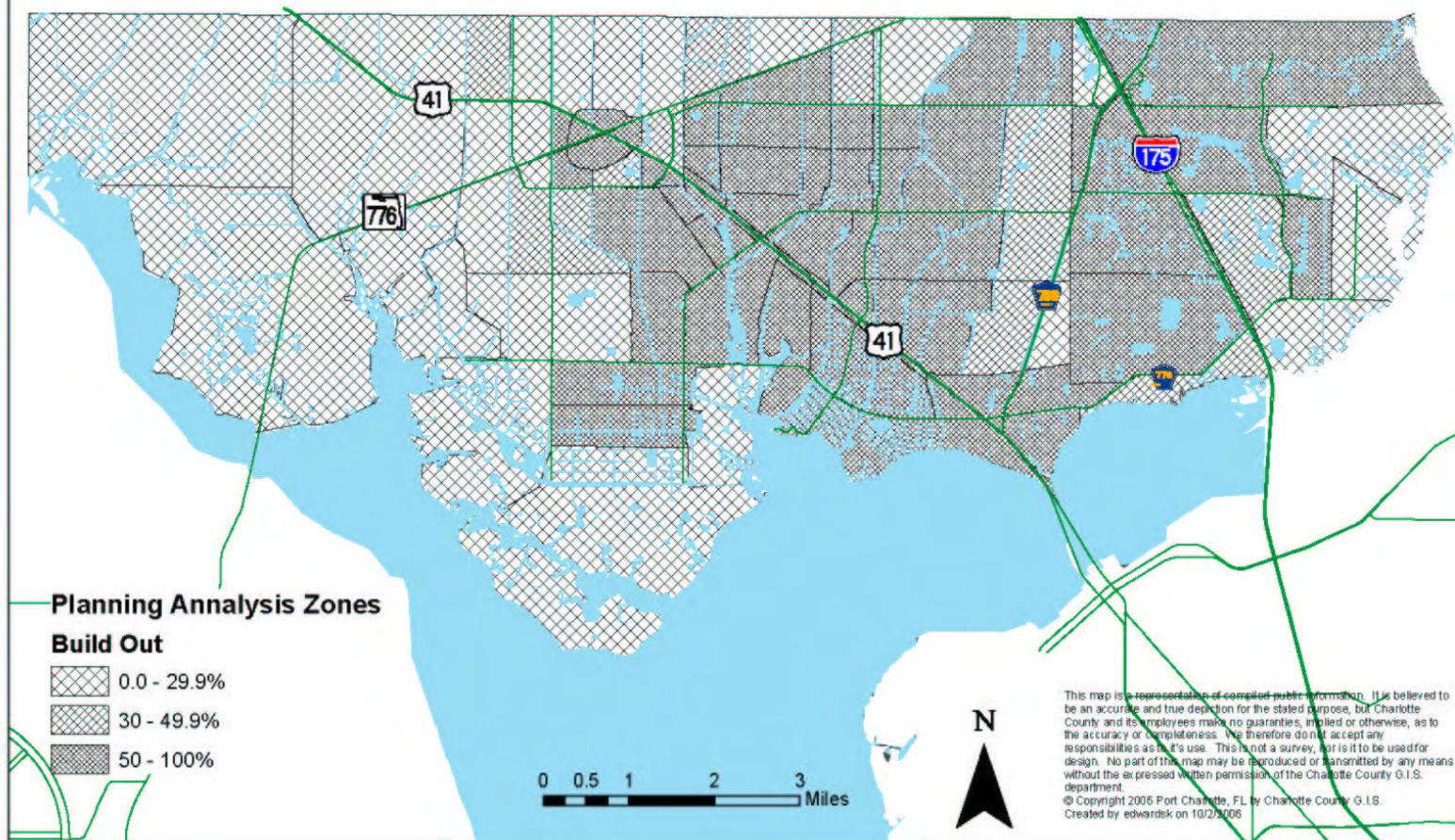
Source: Charlotte County Community Development Department, September 2006.

Map 1.23 West County Planning Analysis Zones



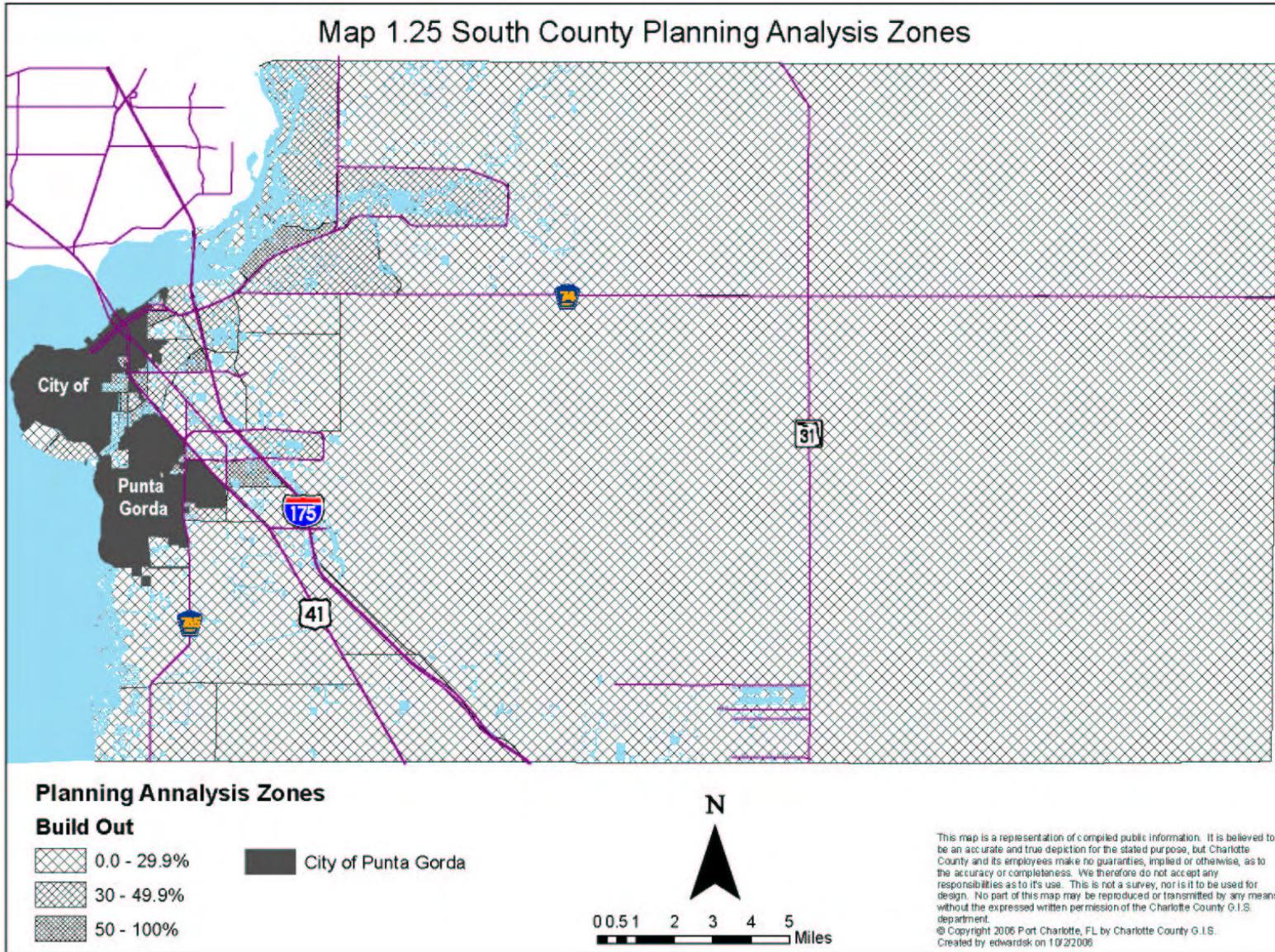
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Map 1.24 Mid County Planning Analysis Zones



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Map 1.25 South County Planning Analysis Zones



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## **B. Transportation**

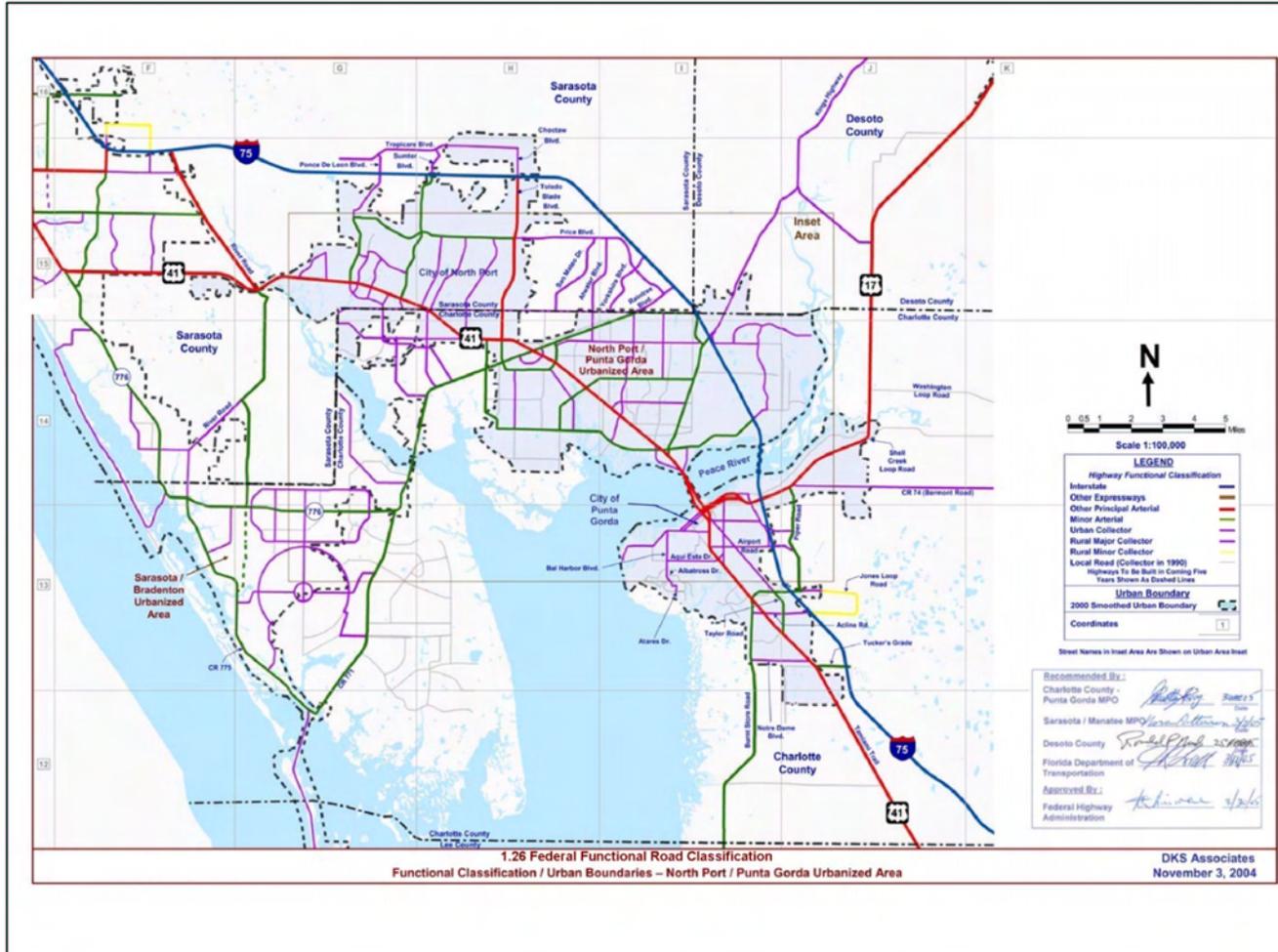
The areas best suited for designation as an urban service area have, or will have, infrastructure available to manage the impacts of development. Charlotte County's arterial and collector roadway system is in good condition throughout the jurisdiction with most lane miles located within the West, Mid, and northern South County areas. The Transportation Element Levels of Services Map displays the current lowest corridor levels of service for these roads. Map 1.26 displays the major roadways in Charlotte County.

Maintaining acceptable levels of service and roadway conditions are two of the most important tasks for Charlotte County. These can be accomplished to some extent with proper land use planning since the existing and future land use patterns dictate at what levels of service roads will operate. Land uses that generate very high rates of automobile trips should be located with direct access to arterial and major collector roads.

The roads used as the primary transportation routes in the county include:  
SR 776, CR 775, and CR 771 in West County.  
SR 776, US 41, Veterans Boulevard, and Kings Highway in Mid County.  
US 41, US 17, Burnt Store Road in South County.  
CR 74 and SR 31 in East County.  
Interstate 75 which is located in the Mid and South County regions.

In 2008, these roads are meeting the adopted level of service standards. This vast transportation network provides access to the areas planned for higher intensity development over the next planning time frame. Those areas that do not have sufficient access, including East County, are designated as rural with very low development potential.

The identification of improvement needs, the timing of needs and funding opportunities are critical issues in maintaining levels of service throughout the County. In 2009, Charlotte County will meet with the Florida Department of Transportation to discuss methodology and future improvement timing and funding to ensure that levels of service are maintained. Areas of special emphasis will include Interstate 75, US 41, SR 776 and CR 771.



### **C. Potable water service**

As reported in the Infrastructure Element, potable water and sanitary sewer service are supplied by a number of public and private providers within Charlotte County. These utilities have been granted certificated service areas and are regulated by the Southwest Florida Water Management District, South Florida Water Management District, Charlotte County, or the Department of Environmental Protection.

CCU reports that the demand for water is projected to be approximately 17.60 million gallons per day by 2010 and 23.75 million gallons per day by 2015. CCU reports that as of 2004, the potable water suppliers in Charlotte County are permitted to provide 28.84 million gallons per day. Therefore, the existing capacity will be able to provide the potable water necessary to support the projected population. The minimum LOS standard for these providers is 225 gallons per day for each Equivalent Residential Connection (ERC). Map 1.9 displays the existing potable water certificated areas.

### **D. Sanitary sewer service**

CCU reports that as of 2005 central sanitary sewer service is provided in eight different certificated franchise areas operated by two publicly owned utilities, one state facility, and five privately owned utilities. There are also private wastewater treatment facilities serving specific residential and commercial markets within the County and not having certificated areas of operation. Other sewerage service is provided by on-site disposal systems (septic systems and package treatment plants). CCU estimates that the demand for sewer service is projected to be approximately 14.85 million gallons per day by 2010, 20.06 million gallons per day by 2015, and 27.06 million gallons per day by 2020. CCU reports that as of 2005, the combined permitted capacity of the 11 sewage treatment plants and 18 package treatment plants serving Charlotte County is 13.37 million gallons per day plus 650,800 gallons per day from package plants for a total of 14.02 million gallons per day. Central sewer service should be expanded within Charlotte County. The minimum LOS standard for central sanitary sewer providers is 190 gallons per day for each ERC. Map 1.10 displays the central sewer certificated areas.

Utility providers have been issued certifications for service provision in delineated areas of the county. Since 1994, the Public Service Commission (PSC) has regulated issuance of certificated areas for private utilities. Charlotte County regulated the private utilities prior to the duties being transferred to the PSC. Map 1.10 identifies the areas in which certifications have been granted. As with the overplanning of the county, the granting of vast certificated areas has made the task of managing growth extremely difficult; when dealing with numerous private utility providers, the issuance of certificated areas is a primary growth management tool, and one which is not altogether available in Charlotte County.

New development should be directed into existing and future service areas, especially the locations with central sewer service. Charlotte County has an abundance of vacant lots with both water and sewer service where most new development should be located during the first five years of this comprehensive plan. By the end of the five-year period, water and sewer service

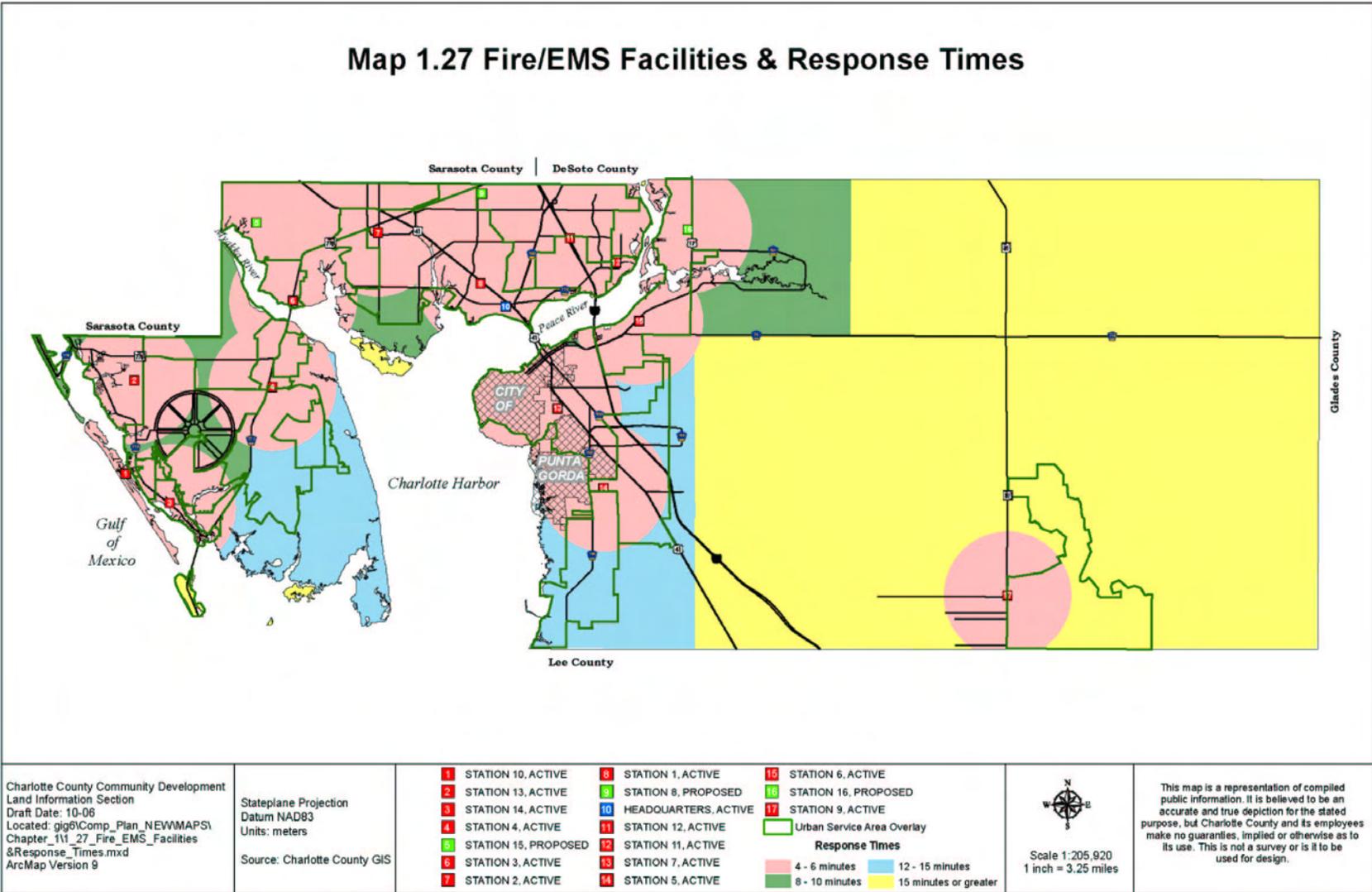
should be expanded to provide sufficient numbers of lots with both water and sewer lines to accommodate development through 2020. The following tables and maps identify the number of vacant lots with potable water and sanitary service currently available in the three urbanized areas.

Most of the areas served by both water and sewer service are included within the urban service area; however, this may not be true in some cases. The urban service area is the mechanism by which the county allocates land for development and, in the case of West County, an over-allocation would occur if all areas served by both services were included within the boundary. This is not intended to discourage development in those watered and sewer areas within a rural service area, but it indicates that Charlotte County will not be expending public funds to provide infrastructure on a priority basis in those areas. Furthermore, the USA boundary does not prohibit water and sewer line extensions into rural service areas within *previously* approved certificated areas.

#### **E. Fire/EMS protection**

Fire protection is provided by the Charlotte County Fire/EMS Department, which operates 14 Fire and Emergency Medical Services stations in West, Mid, and South County locations. The Fire/EMS stations consist of apparatus bays, offices, kitchens, bunkrooms, locker rooms, lounges, and weight rooms. New stations are built to today's hurricane standards. The new stations will be a prototype design of Fire Station 13, which is expandable or contractible. As of November 2005 equipment includes 11 engines (including five with Advanced Life Support), ten rescue units, two ladder trucks, two tankers, four brush trucks, two fire boats, and an array of staff vehicles for command, operational, and support functions. The Fire/EMS Department also has four engines, four rescue vehicles, and one ladder in reserve for support during breakdowns and yearly maintenance. Two Emergency Medical Services stations function within the jurisdictional boundaries of the Englewood Area Fire Control District. Each station is equipped with the Jaws of Life device for extrication purposes and with a semi-automated external defibrillator, thereby expanding significantly the medical delivery system's capability throughout the operations of the department. The Englewood Area Fire Control District operates two fire stations in West County as well as additional stations to the north in Sarasota County. The City of Punta Gorda operates two fire stations within its jurisdiction. The Bayshore Volunteer Fire District, headquartered in Lee County, provides fire protection in East County. The map located on the next page displays the fire stations in Charlotte County with approximate response times identified. Response times are based on roadway lane miles surrounding each station. Approximately 89% of developed single-family homes (as coded into the GIS) within the county are located within the two and four mile buffer zones surrounding the fire/EMS facilities. Future development should be located within the higher response areas in order to better maximize emergency services within the county.

### Map 1.27 Fire/EMS Facilities & Response Times



## F. Police protection

The Charlotte County Sheriff's Office (CCSO) provides police protection throughout unincorporated Charlotte County and secondary services in the City of Punta Gorda (Map 1.28 displays Sheriff's Office locations and patrol zones.). The William Reilly Administrative Complex on Utilities Road near the airport is the headquarters for command functions and many support services. The staff also works out of a number of facilities to support its services and there are three district offices. CCSO employs 524 full time equivalent personnel, classified as follows:

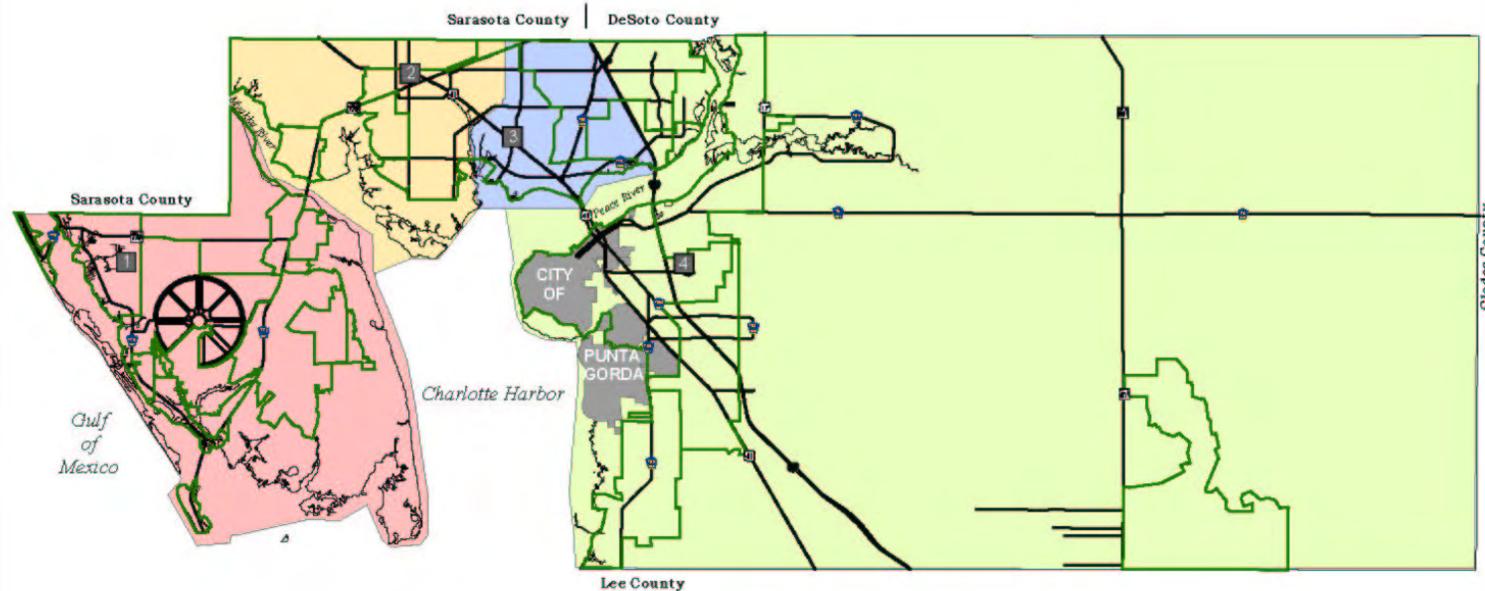
Law enforcement	246
Court Security	15
Corrections	146
Civilian support	117
<b>Total</b>	<b>524</b>

Source: Joy Cocuzzi, Planning and Research, Sheriff's Office. April, 2005.

## G. Hospitals

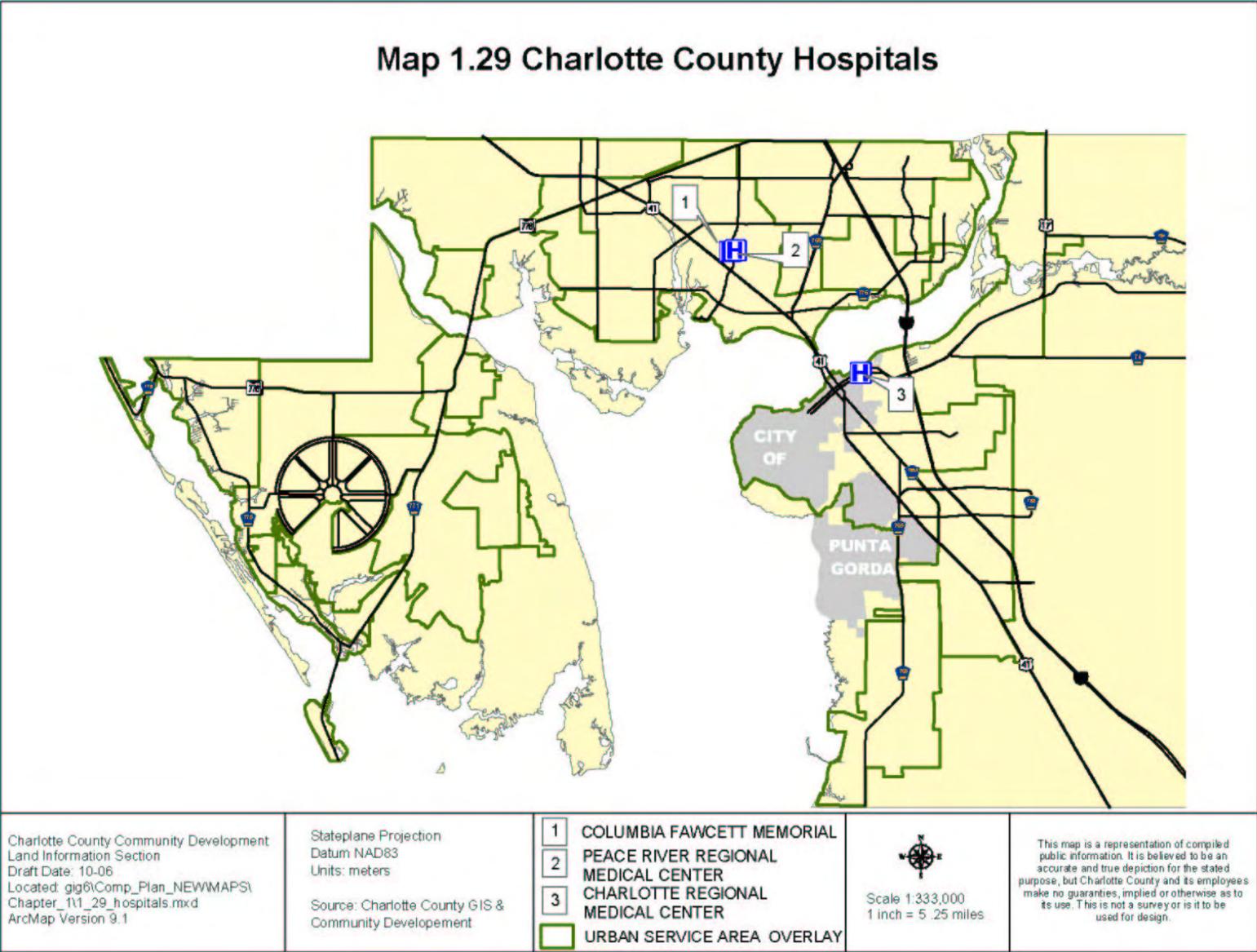
Three hospitals are located within the county (Map 1.29 Charlotte County Hospitals). The Bon-Secours-St Joseph Hospital renamed the Peace River Regional Medical Center and Fawcett Memorial are located near one another in Mid County. Charlotte Regional Medical Center is located within the City of Punta Gorda. A hospital serving West County, the Englewood Community Hospital, is located in Sarasota County. The hospitals serving the county provide 758 beds (238 at Fawcett Memorial, 212 at Peace River Regional Medical Center, 208 at Charlotte Regional Medical Center, and 100 at Englewood Community Hospital).

### Map 1.28 Sheriff Stations and Patrol Districts



<p>Charlotte County Community Development Land Information Section Draft Date: 10/06 Located: gig6\Comp_Plan_NEWMAPS\ Chapter_1\1_28_Sheriff_ Stations_Patrol_Districts.mxd ArcMap Version 9</p>	<p>Stateplane Projection Datum NAD83 Units: meters  Source: Charlotte County GIS</p>	<table border="0"> <tr> <td><b>1</b></td> <td>District 1 Office</td> <td></td> <td>District 1 Patrol Boundary</td> </tr> <tr> <td><b>2</b></td> <td>District 2 Office</td> <td></td> <td>District 2 Patrol Boundary</td> </tr> <tr> <td><b>3</b></td> <td>District 3 Office</td> <td></td> <td>District 3 Patrol Boundary</td> </tr> <tr> <td><b>4</b></td> <td>District 4 Office</td> <td></td> <td>District 4 Patrol Boundary</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Urban Service Area Overlay</td> </tr> </table>	<b>1</b>	District 1 Office		District 1 Patrol Boundary	<b>2</b>	District 2 Office		District 2 Patrol Boundary	<b>3</b>	District 3 Office		District 3 Patrol Boundary	<b>4</b>	District 4 Office		District 4 Patrol Boundary				Urban Service Area Overlay	 <p>Scale 1:316,800 1 inch = 5 miles</p>	<p>This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.</p>
<b>1</b>	District 1 Office		District 1 Patrol Boundary																					
<b>2</b>	District 2 Office		District 2 Patrol Boundary																					
<b>3</b>	District 3 Office		District 3 Patrol Boundary																					
<b>4</b>	District 4 Office		District 4 Patrol Boundary																					
			Urban Service Area Overlay																					

**Map 1.29 Charlotte County Hospitals**



## **H. Stormwater management**

Stormwater management is provided by a number of systems in the county. In undeveloped and vacant areas, it is provided by natural drainage systems. In the developed areas, it is provided by facilities which are approved by an appropriate permitting agency such as a water management district or a county engineer. A development proposal must have an appropriate stormwater management permit or plan prior to the county issuing a building permit. Additionally, the county reviews stormwater management plans as part of the subdivision process, thereby ensuring that development runoff does not negatively impact surrounding area or drainage basin.

Seventy-three drainage basins have been identified in the county. The county began development of a stormwater master plan under the direction of Public Works in 1996. It included the development and mapping of a drainage basin inventory, structural inventory and condition inspection, survey data, hydrologic and hydraulic analysis, prioritization and ranking of basins needing improvement, and a capitol improvement plan.

Existing stormwater management regulations will ensure that drainage facilities are in place to manage the impact of development. The subdivision regulations require staff review and developer installation of stormwater management facilities in order for a plat to receive approval. Stormwater management facilities must be constructed in accordance with county regulations including adopted LOS standards and the requirements of the appropriate water management district. These requirements ensure that post-development stormwater runoff does not exceed the pre-development runoff rate and that it is treated in order to protect ground and surface water quality.

In 1993, the Water Management Districts throughout the state prepared draft stormwater level of service standards for consideration. The levels of service standards were based on providing varying degrees of flood protection based on the nature of the facility and the acceptability for potential flooding. The quantity level of service standards advanced by the Water Management Districts are identified in Table 1.53 Roads shall be passable during flooding. Roadway flooding depth <6" depth at the outside edge of pavement is considered passable. Flooding at sites refers to standing water in agricultural land, developed open or green space (yards and parking lots, etc.) and undeveloped lands designated for future development.

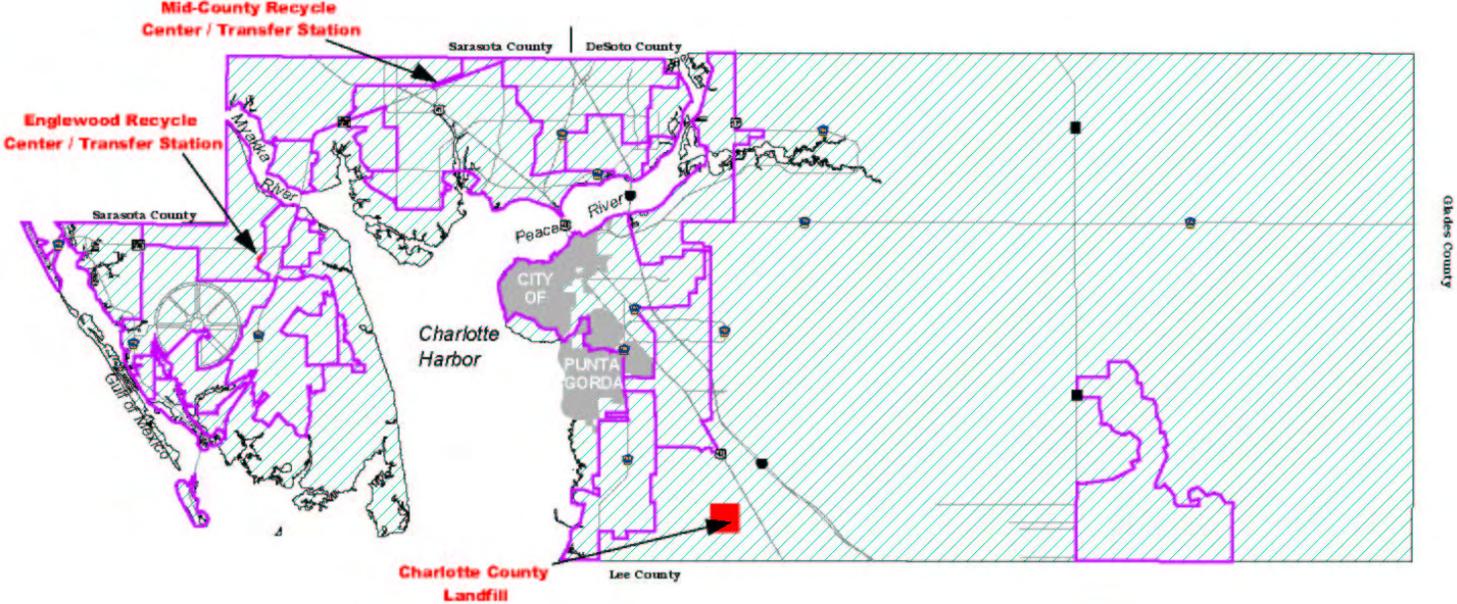
<b>Table 1.52 Stormwater Quality Level of Service and Design Criteria</b>	
<b>Flooding Reference (buildings, roads, and sites)</b>	<b>Level of Service (flood intervals in years)</b>
<b>Buildings</b>	
Emergency Shelters and essential services	>100
Habitable	100
Employment /Service centers	100
<b>Road Access</b>	
Evacuation Corridors	>100
Arterials	100
Collectors	25
Neighborhoods	5
<b>Sites</b>	
Urban (>1 unit/acre)	5
Rural	2
<b>Flow Ways</b>	
Canals	100
Primary Drainage Ditches	25

Source: Public Works, Stormwater Management Department 2005

## **I. Solid waste**

Charlotte County operates a landfill in South County along Zemel Road. According to the Remaining Air Space and Site Life Calculation report prepared in February 2005, the 640-acre landfill has enough capacity to serve the county until 2023. Because, however, county residents recycle more than 30% of their recyclable materials, the landfill's lifespan may extend beyond 2023. Collection services are provided by Waste Management Inc. of Florida for all unincorporated areas of the County and the City of Punta Gorda. The LOS standard for solid waste disposal is 7.2 pounds of solid waste per permanent resident per day. The map below (Map 1.30) identifies the county's solid waste collection areas.

# Map 1.30 Solid Waste Collection Areas



<p>Charlotte County Community Development Land Information Section Draft Date: 10/06 Located: g:\g6\Comp_Plan_NEW\Map\Chapter_1\1_30_Solidwaste_collection.mxd ArcMap Version 9</p>	<p>Stateplane Projection Datum NAD83 Units: meters  Source: Charlotte County Environmental Services / Municipal Solid Waste Division</p>	<p><span style="color: red;">■</span> <b>Solid Waste Site / Transfer Station</b>  <span style="border: 1px solid purple; display: inline-block; width: 10px; height: 10px;"></span> <b>Urban Service Area Overlay</b>  <span style="background: repeating-linear-gradient(45deg, transparent, transparent 2px, lightblue 2px, lightblue 4px); border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> <b>Charlotte Sanitation, Inc</b></p>	<p style="text-align: center;">             Scale 1:333,000            1 inch = 5.25 miles         </p>	<p>This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise as to its use. This is not a survey or is it to be used for design.</p>
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## **J. Parks and recreation**

The Charlotte County Parks, Recreation, and Cultural Resources Department reports that as of June 2006 there are 74 County owned public parks containing about 2,400 acres. Parks range in size from very small mini-parks, which provide water views and access in the Charlotte Harbor area to large sites such as Cedar Point in West County. The majorities of the parks are less than ten acres and serve their surrounding neighborhood; the county does have a few parks which are in the 30 to 40 acre size that serve wider areas. In 1996, the actual LOS for parks was 4.21 acres per 1,000 population. This was more than double the minimum adopted 1988 comprehensive plan standard of 2.07. In the three planning districts, the County has also established larger regional parks that contain a mix of active and passive uses. The regional parks range in size from 100 acres to 272 acres.

In 1995, the county hired the planning firm of Wallace, Roberts, and Todd to prepare a recreation needs analysis and master plan. That plan has indicated that the county has sufficient numbers of smaller developed and undeveloped park sites, and that larger community and district parks are needed. The larger park sites would accommodate a variety of multi-use opportunities more effectively and efficiently.

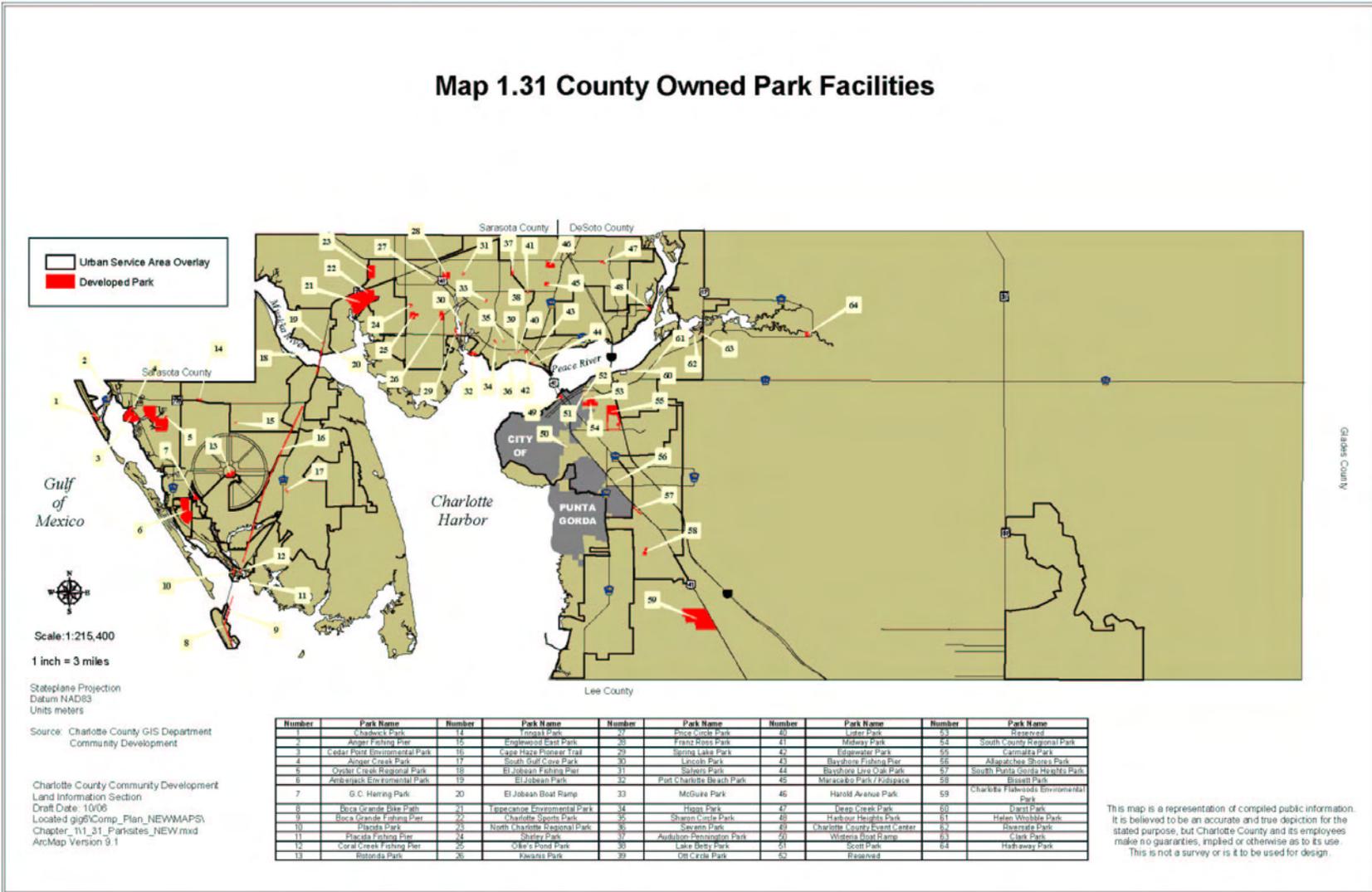
The county has a substantial number of open space (preservation and conservation) lands that are owned by the federal and state governments. Such lands include the Fred Babcock-C.M. Webb Wildlife Management Area, Charlotte Harbor flatwoods, Charlotte Harbor State Preserve, and Island Bay National Wildlife Refuge. Recently the State acquired 67,000+ acres of the Babcock Ranch holdings in Charlotte County. In all, these lands total approximately 256,700 acres, or 30% of total land area.

The county should develop park sites within urban service areas in order for them to be located close to the population that uses the facilities. Exceptions should be made in the case of district parks that would serve an entire planning area. Those facilities could be located in a central area providing excellent access for the entire district. At buildout, the district facilities would then be centrally located. Map 1.31 identifies the county's existing parksites.

## **K. Libraries**

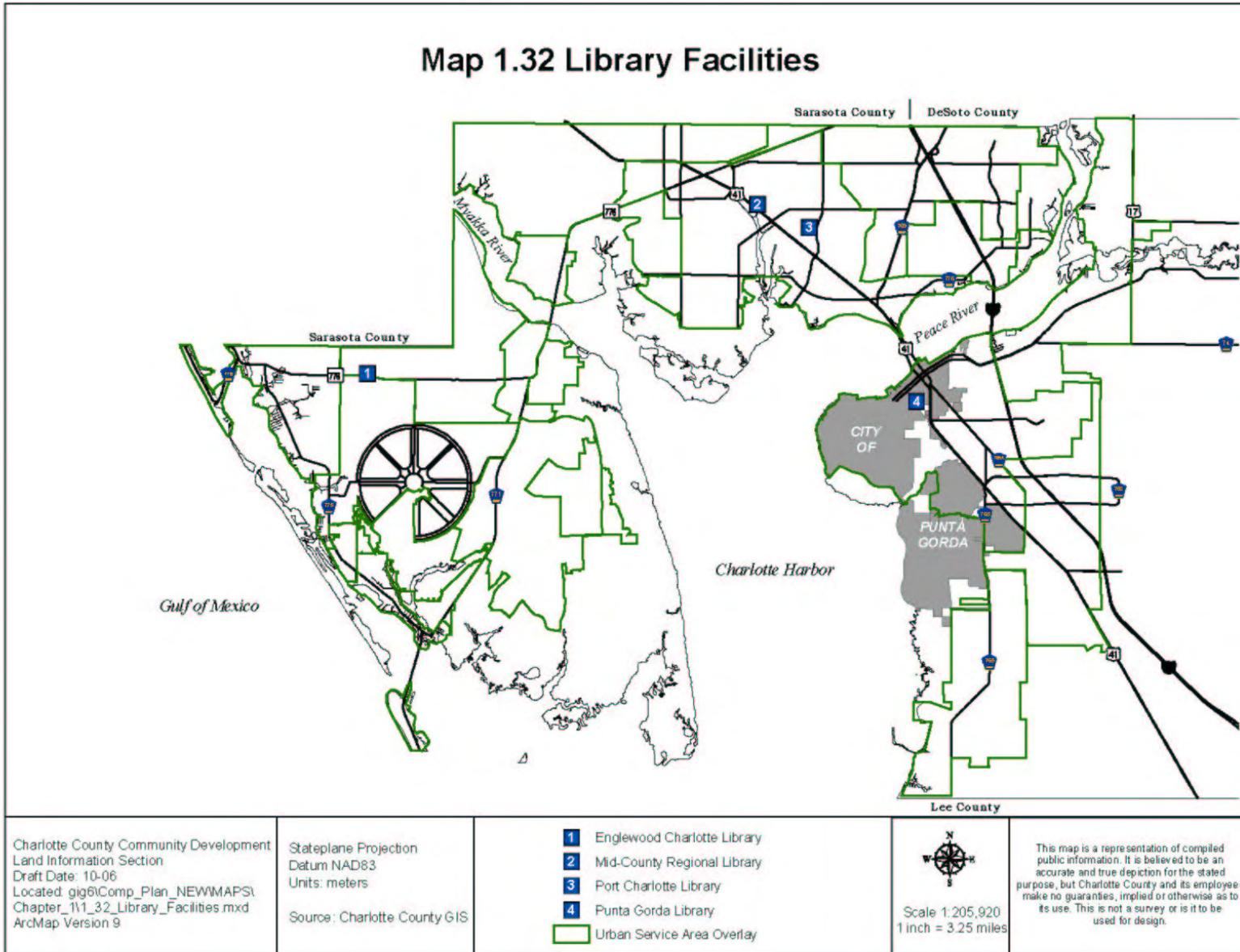
The Charlotte-Glades library system operates four libraries throughout West (1), Mid (2), and South (1) Counties. The Englewood library is about 8,000 square feet, the Punta Gorda library is 9,750 square feet, the Port Charlotte library is 10,500 square feet, and the Mid County Regional library is 37,637 square feet. The Administration Building is at the Mid County Regional library and is 5,000 square feet. The County's Regional Librarian reports that as of May 2006, the library system had 105,212 Charlotte County residents who were cardholders for a phenomenal 743 cardholders per 1,000 permanent residents. As of October 2004, the library collection includes 211,233 volumes, and 504 periodicals, and newspapers. The collection also has about 22,000 audiovisual materials and 13 database subscriptions. The Library operates the Library Material at Your Door program. This outreach program provides material to homebound persons on a monthly basis. The "Libraries" map (Map 1.32) displays locations within Charlotte County.

### Map 1.31 County Owned Park Facilities



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise as to its use. This is not a survey or is it to be used for design.

# Map 1.32 Library Facilities



## L. Education

The Charlotte County School Board operates seventeen public schools in the county. Ten are elementary schools; four are middle schools; and three are high schools. The following table and map identify the county's schools. Enrollment is for the 2005 – 2006 school year. The Future Land Use Map designates property currently owned by the School Board as Public Lands and Facilities. There is enough land with this designation through the first planning time frame.

<b>Table 1.53 Public Schools</b>			
<b>Classification</b>	<b>School</b>	<b>Location</b>	<b>Enrollment</b>
<b>Elementary</b>	Baker*	311 East Charlotte Avenue, Punta Gorda	133
	Deep Creek	26900 Harborview Road, Punta Gorda	692
	East*	27050 North Fairway Drive, Punta Gorda	505
	Liberty	370 Atwater Street, Port Charlotte	653
	Meadow Park	3131 Lakeview Blvd., NW, Port Charlotte	916
	Myakka River	12650 Wilmington Blvd., Gulf Cove	653
	Neil Armstrong*	12000 Midway**, Charlotte Harbor	110
	Peace River*	22400 Hancock Avenue, Charlotte Harbor	655
	Sallie Jones	1230 Narranja, Punta Gorda	752
	Vineland	467 Boundary Blvd., Rotonda West	857
<b>Subtotal</b>			<b>5,926</b>
<b>Middle</b>	L.A. Ainger	245 Cougar Way, Rotonda West	1,135
	Murdock	17325 Mariner Way, Port Charlotte	1,005
	Port Charlotte	12000 Midway Blvd., NW, Port Charlotte	1,054
	Punta Gorda*	825 Carmalita Street, Punta Gorda	1,029
<b>Subtotal</b>			<b>4,223</b>
<b>High</b>	Charlotte*	1250 Cooper Street, Punta Gorda	1,930
	Lemon Bay	2201 Placida Road, Englewood	1,423
	Port Charlotte	18200 Toledo Blade Road, Port Charlotte	1,930
<b>Subtotal</b>			<b>5,283</b>
<b>Total Enrollment</b>			<b>15,432</b>

Source: Charlotte County School District, June 2006.

\*Denotes schools destroyed by August 2004 hurricane and replaced by temporary modular campus. The School District plans to rebuild all of the destroyed schools.

In addition, the table below identifies schools, which provide educational opportunities for students whose educational needs are not met in a traditional classroom setting.

<b>Table 1.54 Special Education Schools</b>		
<b>School</b>	<b>Location</b>	<b>Enrollment</b>
The Charlotte Harbor School	22450 NW Hancock Ave Charlotte Harbor	168
Crossroads Wilderness Institute	County Road 74 Punta Gorda	22
The Academy at Charlotte Technical Center	1601 Marion Ave., W. Punta Gorda	354
<b>Total Enrollment</b>		<b>376</b>

Source: Charlotte County School District May 2005

The Charlotte Harbor School serves the needs of physically, mentally, or severely emotionally disturbed students. Crossroads Wilderness Institute serves middle through high school age students committed to the Department of Juvenile Justice for delinquency. The Academy at Charlotte Technical Center is for qualifying students from ninth grade through age 21 experiencing difficulty coping both academically and socially in traditional schools, for teen parents, and for people who have dropped out of school. This alternative school offers students a smaller, more personal educational environment with competency-based learning options, flexible scheduling, and on-the-job training experiences.

<b>Table 1.55 Continuing and Adult Education Schools</b>		
<b>School</b>	<b>Location</b>	<b>Enrollment</b>
Charlotte Tech Center	18300 Toledo Blade Blvd. Port Charlotte	1,021 full-time 2,180 part-time
Edison Community College	Airport Road Punta Gorda	3,000 credit and non-credit 500 high school students with dual enrollment
<b>Total Enrollment</b>		<b>6,701</b>

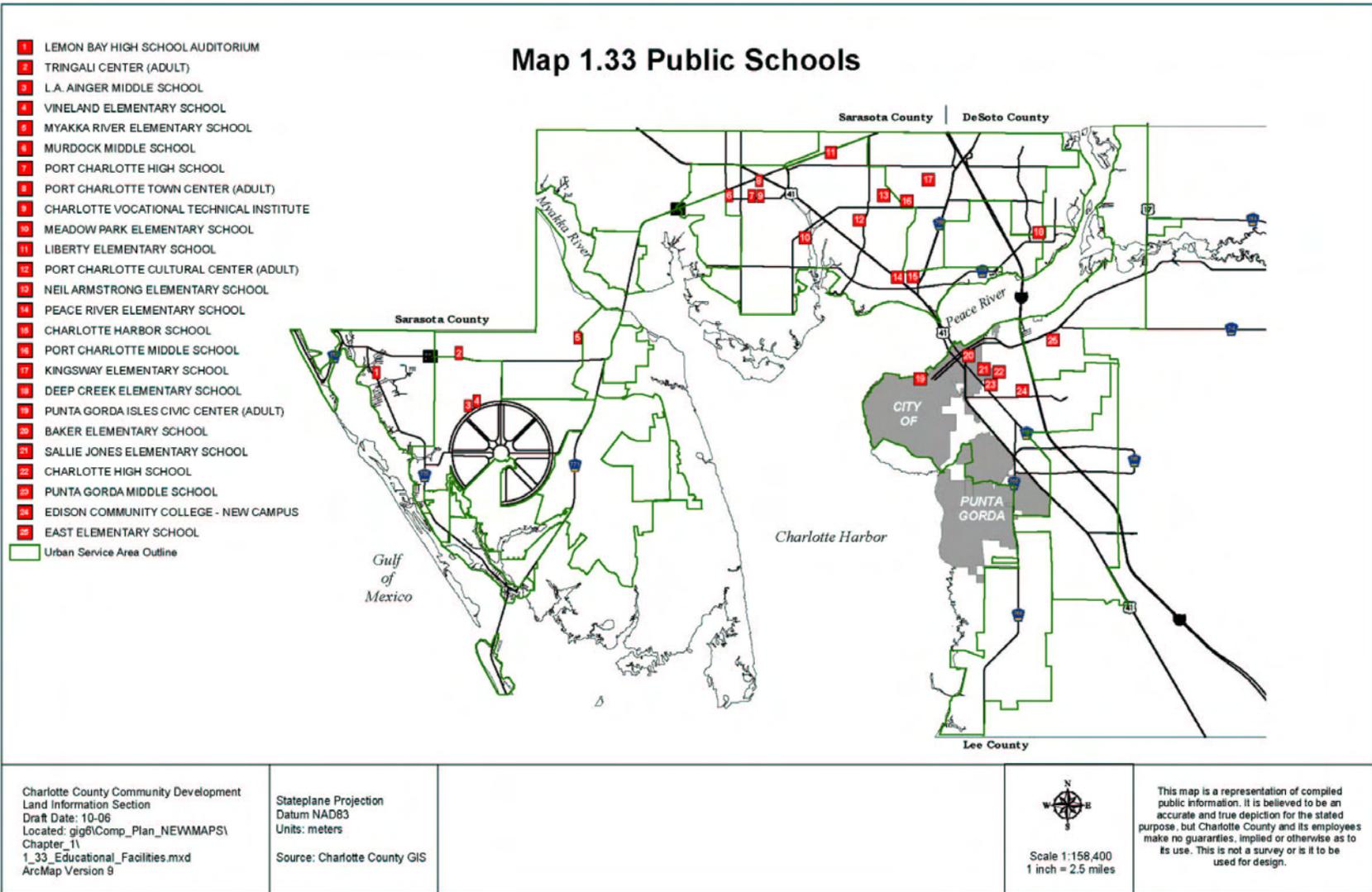
Source: Charlotte Technical Center, June 2006; Edison Community College, June 2006

The ever-changing job market demands that a skilled labor force be available to fill the jobs in Charlotte County. To that end, a broad range of experiences is available and accessible to students in the Charlotte County School District through career education opportunities. The Charlotte County Technical Center, which has 87,679 square feet of classroom and laboratory facilities, is a specialized institution designed primarily to provide specific job preparatory and supplementary training that reflects the employment needs of Charlotte County.

Charlotte Technical Center has an Adult Learning Center where students work independently to improve skills in preparation for occupational training and the GED exam. Also offered are the Test of Adult Basic Education and the GED test. Programs offered at Charlotte Technical Center include drafting auto technology, building construction, electronics, cosmetology, baking, culinary arts, practical nursing, patient care assistant, dental assisting, general secretarial, medical secretarial, accounting, nail technology, web design, network support, and early childhood education.

Charlotte Technical Center receives its accreditation from the Council on Occupational Education. Endorsements from the Florida State Board of Nursing, State Board of Cosmetology, and the State Education Board assure sound job training measured by national standards that will help meet local employment market needs.

Edison Community College, a Fort Myers-based two-year public institution of higher learning, is a full-service branch campus, capable of accommodating 3,000 or more enrollees, on a 204-acre site near the Charlotte County Airport.



### ***Urban Service Area Strategy***

The Infill areas are time phased in accordance with the planning periods as specified by Rule 9J-5. The capital improvements identified within this plan correspond to the first five-year increment. An additional five to eight year time frame allows the County to plan where new development will occur for the next decade. These time periods are long-term enough to allow for adequate decision-making, but short-term enough to allow for small-scale infrastructure expansion. The effectiveness of the urban service area strategy would be evaluated every five years through the Evaluation and Appraisal Report (EAR) process. Major adjustments, including the redesignating of lands, should be made at that time. Of course, adjustments could be made during any year. The ten to thirteen year time frame also allows for an adequate amount of lands to be designated for receiving infrastructure; this would ensure the availability of a sufficient amount of developable land and would aid in keeping land prices relatively low.

Specific criteria are needed for evaluating and determining the proper time and location to adjust the urban service area. The following information should be used when making decisions regarding sub-area adjustments:

- (1) Percentage of buildout including analysis of density and intensity. Has the PAZ reached the density threshold for reclassification? Will the development intensity impact adjoining PAZs?
- (2) Established growth patterns. Will adjustment represent a sequential growth pattern?
- (3) Location in proximity to existing urban infrastructure and services. Is the adjacent PAZ being developed or has it received substantial development? Where are existing infrastructure and services and can they be extended efficiently?
- (4) Development trends. What trends have occurred in the surrounding area in the last several years? Do they warrant a change?
- (5) Population projections. Is there enough land for development to meet the needs of the future population? Does the county wish to channel growth in a certain direction?
- (6) Infrastructure funding. How will infrastructure be funded? Is there sufficient funding to support development within the PAZ? How much funding is needed?
- (7) Concurrency. Are concurrency levels being met in developing areas prior to designating more locations for development? How will this adjustment affect concurrency in the surrounding PAZs? How will levels of service be maintained?
- (8) Geographic features. Are there geographic features, such as water or publicly owned lands that prevent adjustments to sub-areas in this location?
- (9) United States Census data and locally generated demographic information. Do demographic data indicate that adjustments need to be made to sub-areas?
- (10) Data and analysis provided for the local area market condition (such as real estate and development trends or market research information).

Criteria are also needed for determining when to amend the urban service area boundary. Decisions regarding such changes should be based on the following information:

- (1) Available developable land within the urban service areas falls below 100% of total allocated land. This comprehensive plan allocates 125% of land for development

within the planning time frame. This will ensure that an adequate supply of undeveloped land is held in reserve for development.

- (2) The proposed expansion is contiguous to the urban service area.
- (3) Proposed land uses are compatible or provide sufficient buffering to existing, adjacent uses.
- (4) An enforceable agreement exists for the extension of infrastructure and services, such as central potable water and sanitary sewer services, into the proposed expansion area. Such agreements may include formations of special districts like Community Development Districts or Municipal Services Benefit Units.
- (5) An agreement exists for transferring density units, such as densities or platted lots, to an area. Such transfers should involve a one-to-one transfer of density units at a minimum.

The levels of service that landowners can expect according to the urban service area strategy can be found in Policy 1.1.2, and the applicable elements within the Comprehensive Plan.

### ***Public Land Acquisition and Management***

The acquisition and management (including development) of land by government can have a profound effect on land use patterns. As epitomized by the State's ten year, \$1.5 billion Florida Forever Program, the most visible and commonly referenced example of public acquisition is the purchase of environmentally sensitive areas or parklands. Indeed, the public acquisition of large tracts of land for habitat (wildlife) management and public enjoyment often acts as a barrier to urban sprawl. For example, the Charlotte Harbor Flatwoods project, which straddles the Charlotte/Lee county line will, when fully acquired by the State, prevent the City of Punta Gorda (Charlotte County) from linking with the City of Cape Coral (Lee County) forming a geophysical barrier to the kind of unbroken urban sprawl found along Florida's east coast from Homestead to St. Augustine.

Preservation is not the only form of government land ownership and management that has a far-reaching impact on land use trends and development patterns. The development of public facilities - such as municipal buildings, activity based parks, libraries, and, in particular, schools - can stimulate growth on either a regional or local basis. Conversely, the development of other kinds of facilities, such as landfills, incinerators, jails, and other unpopular uses, can have a chilling effect on local or regional growth.

Public acquisition may be accomplished through a variety of methods, including purchase in fee simple, compensable regulation (i.e., "taking" - not a preferred or pleasant method), and less than fee simple acquisition. The last method may include the purchase of density units, the transfer of density units, or the granting of easements that severely limit the use of the subject properties.

As exemplified by the Charlotte Flatwoods purchase, Charlotte County and the State of Florida have a very good relationship when it comes to acquiring land for preservation, conservation, and recreation purposes. The county will continue to seek the assistance of the state for continued acquisitions.

In the Natural Resources and Coastal Planning Element, the county has targeted desirable areas for public acquisition. These locations, most of them in Rural Service Areas, are currently in private ownership, but provide, or have the potential of providing, productive habitat for various plant and wildlife species. While Charlotte County views these sites as desirable for public ownership, it is understood that a private owner may develop the property in accordance with the applicable laws and regulations. Charlotte County will actively pursue the acquisition of such properties when it would result in a public benefit.

The acquisition and development of lands for public facilities is another tactic that Charlotte County will use to manage growth. The siting of facilities greatly influences when and what type development is constructed around it. For example, the siting of an elementary school will encourage residential development in its vicinity. Therefore, when governmental agencies acquire and develop properties within Charlotte County, they should be located within the Infill Areas. Exceptions may include those land uses that may drive residential development away such as landfills, incinerators, jails, and other unpopular uses. This action would stimulate development where it is desirable - in those locations where infrastructure will be in place to manage growth. In only a relatively few instances should public facilities be located in other areas (for example, development in order to prevent a public health or safety hazard or to develop a specific type of park).

The intergovernmental coordination aspect of public facilities siting is the more difficult task. In order to make this aspect of growth management work, understanding and acceptance of this policy is necessary. Charlotte County needs the cooperation of various other governmental bodies, including the School Board, in order to achieve the objectives of this strategy. The Intergovernmental Coordination Element provides further discussion.

### ***Environmental Controls***

Charlotte County can manage growth through the use of environmental regulations intended to protect its natural resources, including water and air quality, water quantity, rare or unique wildlife habitats, or other resources generally considered essential to well-being of the general public. Protection of water quality is one of the most readily identifiable objectives of environmental regulation; it is also one for which the success of the enacted regulations is relatively easy to quantify.

Typically, water quality regulations address the amount and type of potential pollutants which may be discharged from a developed property. By measuring the amounts of the potential pollutants in the waterbody receiving the discharge (including swales, canals, ditches or other drainage works), the effectiveness of the regulation is also measured.

Water quality regulations may be, and often are, combined with standards that address stormwater retention as runoff is a well-documented source of pollution. Stormwater regulations typically require the on-site detention or retention of the increased runoff that results from the creation of impervious surfaces (asphalt, concrete, roofs, etc.). These detention/retention ponds

require space. As developments grow larger, the need for stormwater management and the demand for space to accommodate it increase accordingly. Thus, stormwater treatment requirements effectively act to limit the size of a potential development within an individual site.

Other environmental regulations may have an even greater effect on development proposals. The habitat needs of listed wildlife species may result in the establishment of on-site preserves, which are set aside in perpetuity as "open space in wildlife habitat". Such set-asides may often take up as much as 50% of a site.

The Natural Resources and Coastal Planning and Infrastructure Elements of this comprehensive plan establish (1) levels of service and standards; (2) goals, objectives, and policies; and (3) priority areas linked to this growth management strategy which are used to protect the county's environment. Of special concern, is the water quality of Charlotte Harbor. In conjunction with this element, those two elements address protection of the harbor.

### ***Transfers of Density Units***

The transfer of density units (TDU) is a process in which the rights to develop a given property are severed and reassigned (transferred) to another property; the severance and transfer are recorded and made a part of the permanent records of the jurisdiction within which the transaction takes place. The purpose of the TDU is to enable owners of eligible properties (e.g. pre-platted, substandard lots, environmentally sensitive, archaeologically significant, or other "sensitive" properties) to benefit from the development potential typically associated with property ownership. It also enables owners of properties receiving transferred units to develop at a higher density than would normally be allowed under the subject properties' zoning and land use classifications. Properties from which density units have been transferred may remain undeveloped and may be sold or given to government agencies, preservation groups, or appropriate not-for-profit organizations for an additional benefit: tax relief. There is also the possibility that these properties may retain minimal development rights in order to secure some development potential allowed under the land use designation and zone district.

Charlotte County adopted a Transfer of Development Rights ordinance in 1994, which was amended in part in 2001. In 2004, the ordinance was revised in its entirety with the adoption of the Transfer of Density Units ordinance. The development and implementation of this growth management strategy, in conjunction with the Board of County Commissioner's policy of "no net change in the County's overall density, has demonstrated that the TDU process is a strong tool for managing growth. Areas which are not scheduled to receive higher urban densities or infrastructure, such as Rural Service Areas, are logical candidates for "sending zones"; while those areas in which higher densities and infrastructure are to be provided (i.e., urban service areas) are logical "receiving zones".

One form of TDU which has been used in Charlotte County is land swapping. In 1994, as part of a stipulated settlement agreement between the State of Florida and Charlotte County, the Caliente Springs Development of Regional Impact was approved in exchange for reducing the development density for 371 acres located on the Cape Haze Peninsula. The Urban Service Area

boundary was also adjusted to reflect this approval at the same time. Charlotte County continues to encourage these types of density unit transfers when a valid public purpose would result.

### ***Revenues***

Taxes and fees can be used to manage growth by linking them to Urban and Rural Service Areas, distinguishing the nature and level of service which residents may expect to receive. Residents within the Urban Service Area Overlay District expect a greater range of services, and so must be prepared to pay higher taxes to fund them. Residents in the Rural Service Area may expect lower taxes due to the fewer services available. This also reduces the tax burden on rural lands. Weighing services against taxes enables residents and potential residents to decide where they will live and what kind of community they wish to create and enjoy. In Charlotte County, ad valorem taxes are assessed based on zoning districts. For the most part, zoning districts located within an Urban Service Area permit higher intensity development and those located within a Rural Service Area allow lower intensity activities - mainly agricultural. This form of preferential taxation is utilized to help areas retain a rural character and to alleviate pressure on rural landowners to convert to more intensive uses, particularly urban development. Therefore, the county's tax system corresponds to a higher density/higher taxes and lower density/lower taxes system.

Another type of fee, known as a *special assessment*, is used to control growth by providing economic incentives - or disincentives - for development in certain areas. Collected in areas delineated as Municipal Service Taxing Units (MSTUs) or Municipal Service Benefit Units (MSBUs), special assessments are used to generate revenue for special, targeted purposes. For example, owners of properties along a waterway might be, and most are, in an MSBU to fund maintenance dredging or other services related to riparian ownership. MSBUs and MSTUs may also be used to generate funds for the installation or maintenance of infrastructure such as water and sewer lines, drainage improvements, or sidewalks.

In Charlotte County, MSBUs are employed for infrastructure and service provision and maintenance. Areas to which water and sewer service will be extended are assessed by MSBUs. Road and drainage maintenance and solid waste service is paid for by MSBUs.

Growth management requires a combination of several factors. The financial end is just one of those which make it work. Further information regarding tax and fee systems is located in the Capital Improvements Element of this document.

### ***Land development regulations***

Land development regulations are the most widely used means for controlling growth and development in the United States and, in Charlotte County, will be contained in a Unified Land Development Code (UDC). Throughout the United States, the establishment of zoning districts and concomitant regulations is the most widely used means of controlling growth and development. It is normally structured to regulate the use of structures and land, establish minimum lot sizes, maximum densities, building height restrictions, setbacks, and other criteria

specific to each zoning district. In Florida, state law mandates that zoning regulations be consistent with, and implement local comprehensive plans. In Charlotte County and other jurisdictions, zoning techniques include conventional, performance standards, bonus and incentive zoning, conditional zoning (not very popular due to tracking difficulties), Planned Unit Developments or Planned Developments, flexible zoning, special exceptions, variances, and site plan approval processes.

## **VI. Goals, Objectives, and Policies**

**Administrative:** The Future Land Use Element is the centerpiece of the comprehensive plan around which other elements are developed. The text, data, and analysis found in the elements of the Comprehensive Plan provide the informational basis for the goals, objectives and policies (GOPs) found in the various elements of the Comprehensive Plan. It is the GOPs of the Future Land Use and the other Plan Elements which are prescriptive, and form the legal component of this Plan.

Typographical and/or grammatical errors found in this document shall be considered “scriveners’ errors” and shall not require submission of a large scale plan amendment to the Department of Community Affairs in order to correct these errors.

**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 urban sprawl.

**Objective 1.1 (Urban Service Area):** The Urban Service Area strategy will direct the timing, location, density, and intensity of development and through the provision of infrastructure throughout Charlotte County so that urban development is directed towards the Urban Service Area’s Infill Areas.

**Policy 1.1.1:** The Urban Service Area strategy consists of two distinct service areas which are:

### **I. Urban Service Area (comprised of 2 sub-areas).**

- (1) Infill Areas are areas which have a significant level of urban development with buildout density of 30% or greater as delineated by Planning Analysis Zones. The majority of urban services and infrastructure are concentrated in these areas. Services provided include central potable water and wastewater treatment as described in the Infrastructure Element, road and drainage construction and maintenance, public education, libraries, and higher levels of police and fire/EMS protection.
- (2) Suburban Areas are relatively undeveloped at less than 30% buildout density as delineated by Planning Analysis Zones; however, there are scattered homes and businesses located in these areas. For the most part, Suburban Areas are undeveloped platted lands, which may receive urban infrastructure and services in the future and may eventually become Infill Areas. These areas will receive higher levels of urban services and infrastructure, once a need develops beyond the 2020 planning horizon, or in order to maintain existing infrastructure and services, or if paid for by the landowners in the area by self-assessment/private contribution, or through a community planning process.

### **II. Rural Service Area.**

Rural Service Areas are located primarily within the southern, eastern, and bridgeless barrier island sections of Charlotte County. They are characterized by agricultural lands and very low-density residential development. Services provided include, but are not

limited to, garbage collection, emergency services, and roadway and drainage maintenance. Provision of additional infrastructure and services will be at a lower priority level than for land within the Urban Service Area.

**Policy 1.1.2:** Guidelines for infrastructure and services implementation for the Urban Service Area strategy should meet the LOS standards set forth in the various elements of the County's Comprehensive Plan.

**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.

**Policy 1.1.4:** Charlotte County will discourage premature development within the Suburban Areas by providing incentives for the consolidation of lands and their conversion to other, less intensive uses through programs such as administrative deplattings, minimum area requirements for septic system usage, and transfers of density units.

**Policy 1.1.5:** Within the East County planning area, Charlotte County will encourage those forms of development which serve an agricultural community and a rural lifestyle.

**Policy 1.1.6:** Within the bridgeless barrier island Rural Service Area location, Charlotte County will prohibit higher densities of new residential development by allowing only for residential uses at very low densities not to exceed one dwelling per acre or one dwelling unit per platted lot consistent with Policy 2.5.3.

**Policy 1.1.7:** Criteria for adjusting sub-areas within the Urban Service Area include:

- a. percentage of buildout with an analysis of density and intensity;
- b. established growth patterns;
- c. location in proximity to existing urban infrastructure and services;
- d. development trends;
- e. population projections from the Bureau of Economic and Business Research;
- f. infrastructure funding and availability;
- g. concurrency;
- h. geographic features and constraints;
- i. United States Census data; and
- j. economic development trends and policies.

**Policy 1.1.8:** Charlotte County will utilize the following criteria to modify the land area of Infill Areas from Suburban Areas:

- a. infrastructure and services can be incrementally extended in a financially feasible manner or a private developer will pay the full cost if not publicly funded;
- b. the proposed land area is adjacent, or in close proximity, to an existing Infill Area;
- c. population growth and development trends warrant an increase in size; and
- d. existing Infill Areas have reached significant buildout to warrant expansion into new locations.

**Policy 1.1.9:** Charlotte County will levy various fees to ensure that new development pays the marginal cost of developing the capital facilities to provide new services and infrastructure.

**Policy 1.1.10:** Criteria for amending the Urban Service Area boundary include (i.e., converting rural service area to urban service area lands):

- a. the proposed expansion is contiguous to the Urban Service Area (except for self-supporting development approved as either a New Community or Development of Regional Impact);
- b. proposed land uses are compatible or provide sufficient buffering from existing, adjacent uses;
- c. an enforceable agreement exists for the extension of central potable water and sanitary sewer service into the proposed expansion area; and
- d. the proposed expansion will not interfere with agriculture or conservation activities; and
- e. the proposed expansion does not constitute urban sprawl or promote the expansion of urban sprawl in surrounding areas.

**Objective 1.2 (Concurrency):** Charlotte County will require the availability of services concurrent with the impacts of development, as provided by Section 163.3177(10)(h), F.S. Decisions regarding the location, extent and intensity of future land use in Charlotte County, particularly urban-type expansion, will ensure consistency with the type of uses and development established within each designated Urban and Rural Service Area. Future land use decisions will also be based on the physical constraints and financial feasibility of providing areas with services at levels of service (LOS), concurrent with the impact of development, that meet or exceed the minimum standards adopted in the Comprehensive Plan.

**Policy 1.2.1:** Charlotte County will maintain a Concurrency Management System, as adopted in the Capital Improvements Element, to ensure that development orders and permits are issued on the condition that adequate public facilities and services meet or exceed minimum LOS standards specified in the various elements of this Plan.

**Policy 1.2.2:** New development will not reduce urban infrastructure and services below the Level of Service standards adopted by Charlotte County in this comprehensive plan.

**Policy 1.2.3:** Charlotte County will implement Land Development Regulations providing that Levels of Service must be sufficient prior to the issuance of a certificate of occupancy.

**Policy 1.2.4:** Within the time frame provided by Section 163.3202(1), F.S. the Community Development and Construction Services Departments will ensure that development orders will be based on the County's ability to maintain minimum levels of service, and will coordinate with other agencies in administering the Concurrency

Management System to ensure that the necessary public facilities and services are available at the adopted Level of Service concurrent with the impacts of development.

**Policy 1.2.5:** The following options shall apply in an area with facilities and services that do not meet minimum Levels of Service required by concurrency:

- a. Projects may be phased to maintain minimum Level of Service standards concurrent with the development; and/or
- b. A Developer may pay their proportionate share cost of improvements, if such facilities are identified in the Capital Improvements Program in accordance with Charlotte County's Proportionate Share Mitigation Ordinance.

**Objective 1.3 (Infrastructure and Services):** Charlotte County will use the location and timing of infrastructure and services to direct growth in an orderly and efficient manner.

**Policy 1.3.1:** Charlotte County's provision of infrastructure and services shall be guided by the following service areas, which are listed by level of priority:

First priority - Infill Areas.

Second priority - Suburban Areas.

Third priority - Rural Service Areas.

**Policy 1.3.2:** In certain instances, Charlotte County may provide higher levels infrastructure and services to areas regardless of the Urban Service Area designation in order to protect the public health, safety, and welfare or at the request and capital outlay of citizens within an area.

**Objective 1.4 (Platted Lands Strategy):** Recognizing that Charlotte County has a supply of platted lands which is greater than the long-term need, the county shall reduce the total number of platted vacant lots within the West, Mid, East and South County planning areas by a minimum of 1% during the planning period (2020) of this Plan.

**Policy 1.4.1:** Charlotte County will work with its legislative delegation and other communities to create an action plan to identify workable solutions to statewide platted lands issues. The County may apply to the State and Federal governments for funding to assist in resolving the problems associated with platted lands. Funding sources shall include the state's Florida Forever, Florida Communities Trust, Southwest Florida Water Management District, and various other programs.

**Policy 1.4.2:** Charlotte County will encourage the reduction of platted lots through the following measures:

- a. assembly and de-platting of lots by private interests for re-platting and eventual development or other purposes;
- b. public acquisition of platted lands for preservation, restoration, recreation, viable habitat for listed species, or outdoor education using public funds as appropriate and available; or

- c. consider selective acquisition of individual lots by Charlotte County for use in property assembly, lot swaps, or transfers of density units where such action facilitates a public need, such as the provision of infrastructure or urban services.

**Policy 1.4.3:** Charlotte County will bear the costs for deplatting of lands within targeted areas if a density reduction occurs as a result of the deplatting and will create an administrative deplatting process. As part of this process, the county will develop target areas for prioritization of deplatting efforts.

**Policy 1.4.4:** By December 2008, Charlotte County will review its impact fee schedule in order to develop a series of graduated impact fees in order to encourage development in Infill locations. The graduated impact fee schedule will reflect the true cost of infrastructure provision.

**Policy 1.4.5:** Charlotte County will employ a transfer of development rights program whereby the development rights of property may be severed in perpetuity or until designation as an Infill Area and transferred to locations which are more appropriate for urban development. The transfer of development rights program will identify sending zones from which development rights will be severed and transferred to receiving zones. Sending zones shall include Resource Conservation and Preservation Future Land Use Map locations, Suburban and Rural Areas identified in the Urban Service Area strategy, locations within the Special Surface Water Protection Overlay District, and any property containing historical, archeological, or environmentally sensitive resources. Receiving zones shall include Medium Density Residential and High Density Residential Future Land Use Map locations, New Communities, Rural Communities, and areas specified within a resource management plan developed consistent with the Natural Resources and Coastal Planning Element.

**Policy 1.4.6:** Charlotte County will encourage private enterprise to work towards solutions to the platted lands problem through participation in state land acquisition programs such as Florida Forever, Florida Communities Trust, Southwest Florida Water Management District, and various other programs such as administrative deplattings.

**Policy 1.4.7:** Charlotte County will facilitate the re-assembling of platted parcels by plat vacation and other means legally available.

**Objective 1.5:** To ensure the availability of suitable land for public and utility services and facilities necessary to support proposed development.

**Policy 1.5.1:** Public and utility services and facilities shall be allowed in all Future Land Use Map designations.

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**Policy 1.5.2:** Public and utility services and facilities shall be developed in compliance with applicable design standards and with buffers and setbacks in order to protect adjacent land uses from activities conducted on such public and utility sites. The design and construction of such facilities shall protect natural resources and environmental sensitive areas.

**Objective 1.6 (Future Land Use coordination):** The location and intensity of development shall coincide with the availability of facilities and services and with appropriate topography and soil conditions.

**Policy 1.6.1:** Development orders, building permits, and certificates of occupancy shall be issued in accordance with the Concurrency Management System to ensure that the necessary public facilities and services are available, at the adopted Level of Service, concurrent with the impacts of development.

**Policy 1.6.2:** Availability of facilities and services shall be measured by the adopted levels of service standards.

**Objective 1.7:** The location and intensity of development shall be determined by appropriate topography and soil conditions as indicated in the following policies.

**Policy 1.7.1:** New development in ‘A’ and ‘V’ zones as defined by the Flood Insurance Rate Map shall be elevated above base flood elevation and constructed to withstand damage from tidal actions.

**Policy 1.7.2:** In order to reduce the potential for pollution to soils and groundwater, the use of advanced septic treatment systems or reduced development densities in locations without existing or planned central sanitary service shall be required.

**Policy 1.7.3:** Wetlands shall be protected consistent with the objectives and policies within the Natural Resources and Coastal Planning Element.

**Objective 1.8:** To ensure the protection of the natural environment by minimizing adverse impacts created by development.

**Policy 1.8.1:** Charlotte County shall protect groundwater resources by maintaining a maximum density of one dwelling per ten acres in areas of prime aquifer recharge.

**Policy 1.8.2:** Land uses within delineated cones of influence or 1,500 feet where a cone of influence has not been determined shall be evaluated to ensure the protection of potable water wellheads. Land uses in which hazardous wastes are produced or stored shall not be allowed within these areas unless permitted by the Department of Environmental Protection.

**Policy 1.8.3:** Charlotte County adopts the water quality standards of Chapter 62-25, Florida Administrative Code. Pollution abatement shall be accomplished by requiring stormwater management systems in accordance with the requirements of that chapter.

**Policy 1.8.4:** Commercial and industrial uses shall be developed to avoid the contamination of groundwater.

**Policy 1.8.5:** Charlotte County shall require the use of advanced onsite treatment and disposal systems for new development located on a development site which is less than or equal to 10,000 square feet in size and which does not have central sanitary sewer service currently available or is not located within the short-range sewer installation program included within the five-year schedule of capital improvements.

**Policy 1.8.6:** Natural resources shall be protected during mining and excavation activities. No such activities shall be permitted in wetlands or protection zones for listed species unless permitted by state or federal regulations and guidelines pursuant to Policy 1.6.1 of the Natural Resources and Coastal Planning Element. A reclamation plan for post-mining/excavation use is required as a condition of permit issuance by Charlotte County.

**Policy 1.8.7:** Development proposals and activities shall protect wetlands so that productive natural functions shall be maintained in the post-development environment.

**Objective 1.9 (School Siting)** *(Created by Ordinance #99-063, Adopted on November 23, 1999):* Charlotte County and the School Board will properly site public school facilities within the county in order to ensure effective growth management consistent with the Urban Service Area Strategy (Objective 1.1).

**Policy 1.9.1** *(Created by Ordinance #99-063, Adopted on November 23, 1999):* Public school facilities of the Charlotte County School Board shall be allowable uses in Low Density Residential, Medium Density Residential, High Density Residential, Public Lands and Facilities and Mixed-Use Future Land Use Map categories. Public school facilities shall include elementary schools, middle schools, high schools, special education schools, continuing and adult education schools, and other special purpose facilities of the Charlotte County School District.

**Policy 1.9.2** *(Created by Ordinance #99-063, Adopted on November 23, 1999):* With the intent to discourage urban sprawl, public school facility siting shall be prioritized within the infill area of the Urban Service Area.

**Policy 1.9.3** *(Created by Ordinance #99-063, Adopted on November 23, 1999):* Development of new schools shall be coordinated with the delivery of adequate Levels of Service (LOS) for the following infrastructure and services:

- a. Roads/bicycle paths/sidewalks,
- b. Central sanitary sewer service

- c. Central potable water service,
- d. Stormwater management, and
- e. Solid waste collection and disposal.

Consistent with the concurrency management requirements of Section 9J-5.0055, F.A.C., the proposed development will not reduce the levels of service below minimum adopted standards.

**Policy 1.9.4** (*Created by Ordinance #99-063, Adopted on November 23, 1999*): Public school facilities shall be located adjacent and with direct access to roads in accordance with the following:

High Schools, Special Education Facilities, and Alternate Education Facilities:

The proposed location shall be adjacent and have direct access to, at least, a rural major/urban collector road or as otherwise approved by Charlotte County upon determination of acceptable traffic impacts on the affected roadway systems.

Middle Schools:

The proposed location shall be adjacent and have direct access to, at least, a rural major/urban collector road or as otherwise approved by Charlotte County upon determination of acceptable traffic impacts on the affected roadway systems.

Elementary Schools:

The proposed location shall be adjacent and have direct access to, at least, a rural minor collector road or as otherwise approved by Charlotte County upon determination of acceptable traffic impacts on affected roadway systems.

**Policy 1.9.5** (*Created by Ordinance #99-063, Adopted on November 23, 1999*): The proposed location of a new public school facility, or the expansion of an existing site, shall be allowed upon satisfactory determination that the proposed site is consistent with the Charlotte County Comprehensive Plan. The following criteria shall be utilized as the minimum requirements for communication per Section 235.193(4), Florida Statutes:

- a. The School Board will provide written notice, including appropriate data and analysis, to Charlotte County at least 60 day prior to acquiring or leasing property that may be used for new or expanded public school facilities. This notice will identify the intended purpose of the site. Charlotte County will reply to the School Board on the site's consistency with the local comprehensive plan within 30 days of receipt of notice.
- b. The School Board will provide written notice, including appropriate data and analysis, to Charlotte County as early in the design phase as possible and at least 90 days prior to constructing a new or expanded public school facility. This notice will identify the intended purpose of the site. Charlotte County will reply to the School Board on the site's consistency with the local comprehensive plan within 30 days of receipt of notice.

- c. Upon determination by the Board of County Commissioners at a regularly scheduled public meeting, Charlotte County shall issue in a newspaper of general circulation a notice of consistency with the comprehensive plan regarding a proposed school location at least two weeks prior to a scheduled Board of Zoning Appeals public hearing concerning that potential school site.

**Policy 1.9.6** (*Created by Ordinance #99-063, Adopted on November 23, 1999*): The following criteria will be used to determine the suitability of the proposed site or facility. The criteria shall include, but not be limited to, the following conditions in addition to the criteria contained in Chapter 235, Florida Statutes:

- a. The actual and projected student population density of the area.
- b. The proposed location must be compatible with existing and future uses of adjacent property.
- c. There are no significant environmental constraints that would preclude development of the site.
- d. There must be adequate public services and facilities available to support the public school facility consistent with concurrency management requirement.
- e. The site contains adequate area to accommodate all needed facilities and utilities, as well as allow for future expansion of the buildings as may be needed.

**Policy 1.9.7** (*Created by Ordinance #99-063, Adopted on November 23, 1999*): Charlotte County and the School Board will jointly review all proposed large-scale residential projects and Development of Regional Impact studies (DRI's). In order to ensure that all existing and planned public school facilities area adequate and that development design standards meet with the needs of the School Board,

- a. Charlotte County will assist the School Board in coordinating and sharing the information related to existing and planned schools, proposals for development, redevelopment, or additional development, and the infrastructure required to support the public school facilities.
- b. The School Board shall be represented on the Development Review Committee on an as needed basis, in order to ensure that adequate design standards are applied to major site plans and subdivisions.

**Objective 1.10: (Co-location of Schools)** (*Created by Ordinance #99-063, Adopted on November 23, 1999*): Charlotte County and the School Board will, where possible, co-locate new facilities in locations that are adjacent or approximate to existing public facilities in order to maximize the efficient use of public resources and create greater public convenience.

**Policy 1.10.1:** (*Created by Ordinance #99-063, Adopted on November 23, 1999*): Charlotte County will coordinate with the School Board to determine the potential areas of co-location of school facilities with other public facilities at the bi-annual meetings specified in Policy 1.1.2, Intergovernmental Coordination Element, as well as during other meetings involving the siting of schools.

**Objective 1.11 (Preservation of Recreation and Working Waterfronts and Public Water Access):** Charlotte County will encourage the preservation of recreational and commercial working waterfronts and public access to water. (*HB 995*)

**Policy 1.11.1:** Charlotte County shall give preference to the rehabilitation and/or expansion of existing water dependent uses by expediting the review and processing of permits.

**Policy 1.11.2:** Charlotte County will consider the adoption of an ordinance to allow for ad valorem tax deferrals for existing waterfront recreational uses, commercial working waterfront and for those properties providing extraordinary public access to the waterfront.

**Policy 1.11.3:** Charlotte County will discourage the conversion of existing, zoned, and/or designated waterfront commercial and industrial properties, to residential or mixed-uses, to the extent allowed in the County's Code of Laws and Ordinances and this Plan and when such conversion reduces public access to water or does not provide additional public benefit.

**Policy 1.11.4:** Charlotte County shall encourage and support development of a countywide boat facility-siting plan.

**Goal 2 (Land Use Patterns):** 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 2.1 (Future Land Use Map):** Charlotte County will maintain a Future Land Use Map series to be used as both a prescriptive and regulatory tool to guide land acquisition, development, and regulation.

**Policy 2.1.1:** The Future Land Use Map series depicts the distribution of planned land uses, including general intensities and densities, for the next planning time phase through 2020.

**Policy 2.1.2:** The Future Land Use Map series and its implementing regulations will promote a variety of land uses, densities, and housing types to promote well-being and diverse choices and opportunities for Charlotte County's citizens.

**Policy 2.1.3:** All development orders or permits issued by Charlotte County and other permitting agencies shall be consistent with the Future Land Use Map series and comprehensive plan as specified in Section 163.3194, Florida Statutes. All County Land Development Regulations, including the Zoning Code, Subdivision Regulations, and Zoning Atlas, are subordinate to the comprehensive plan and to the Future Land Use Map series.

**Objective 2.2:** Charlotte County will designate lands suitable for urban development at various densities and intensities on the Future Land Use Map series.

**Policy 2.2.1:** The following classifications shall be used to designate residential lands:

**Rural Estate Residential**

These lands are designated for rural residential uses and are located primarily within the Rural Service Area. Residential land uses shall range from one (1) dwelling unit per five (5) acres to two (2) dwelling units per one (1) acre. Uses on land designated as such include: single-family residential dwelling units, and small-scale agricultural uses (including horticulture, greenhouses, horse stables, nurseries, farming, and cultivation of ornamentals) when located within the Rural Service Area.

**Coastal Residential**

These lands are designated for residential uses in coastal areas. Coastal Residential lands are located within the Tropical Storm and Category 1 Hurricane Storm Surge Zones. Coastal Residential lands may be developed from 1 dwelling unit per acre up to a density of three and one-half (3.5) dwelling units per acre. Residential development within environmentally sensitive lands, such as wetlands, may not exceed one (1) dwelling unit per forty (40) acres. Uses on lands designated as such include: single-family residential dwelling units, and multi-family residential dwelling units, and recreational facilities.

**Low Density Residential**

These lands are designated for urban residential uses. Low Density Residential lands may be developed at a density from 1 dwelling unit per acre to 5 dwelling units per acre for site built residences, with an exception for manufactured housing, which may be developed from 1 dwelling unit per acre to 6 dwelling units per acre. Uses on land designated as such include, single-family residential dwelling units, multi-family residential dwelling units, manufactured residential dwelling units, recreational facilities in association with residential development, sub-neighborhood commercial centers, and schools.

**Medium Density Residential**

These lands are designated for urban residential uses. Medium Density Residential lands may be developed at a density from 5 dwelling units per acre to 10 dwelling units per acre. Uses on land designated as such include: single-family residential dwelling units, multi-family residential dwelling units, manufactured residential dwelling units, recreational facilities in association with residential development, sub-neighborhood commercial centers, and schools.

**High Density Residential**

These lands are designated for urban residential uses. High Density Residential lands may be developed at a density up from 10 dwelling units per acre to 15 dwelling units per acre. Uses on land designated as such include, single- and multi-family residential

dwelling units, and recreational facilities in association with residential development, sub-neighborhood commercial centers, and schools.

### **RV Park**

These lands are designated for recreational vehicle campgrounds. RV Parks are intended to accommodate recreational vehicles and camping tents occupied as temporary living quarters for periods not to exceed 180 days. They shall be located in areas with access to major highways and which offer natural settings, open space, and scenic vistas. Temporary residential densities shall range from 1 dwelling unit per acre up to eight (8) dwelling units per acre. Permanent residential densities to accommodate owners and caretakers may not exceed a maximum of one (1) dwelling per park, or two per one hundred (100) acres.

**Policy 2.2.2:** In considering amendments to the Future Land Use Map, proposed residential land uses will generally not be located adjacent to incompatible commercial or industrial lands without sufficient mitigation, such as buffering and setbacks, which lessens the impact to the proposed residences.

**Policy 2.2.3:** In considering amendments to the Future Land Use Map, nonresidential uses, such as industrial uses, will generally not be located adjacent to existing or planned residentially zoned areas.

**Policy 2.2.4** (*Modified by Ordinance #2004-003, Adopted on January 13, 2004*): The following classifications shall be used to designate commercial lands:

### **Commercial Centers**

These lands are designated for commercial, institutional, and professional office activities. Commercial Centers are lands in which retail, service, and office uses currently exist or a need is projected in the future. They are further differentiated into categories, which are indicated below and which are determined by land area. Commercial Center designated sites are intended to form nodal commerce centers and not perpetuate strip commercial. A property that was designated prior to October 7, 1997, on the Zoning Atlas either as Office, medical and institutional (“OMI”), or as Commercial Tourist (“CT”), or as a multi-family designation of Residential, multifamily (“RMF”), or as Residential, multifamily/tourist (“RMF-T”), shall be allowed to develop multi-family residential not to exceed the density as specified in the Code of Laws and Ordinances of Charlotte County, Florida (“County Code”), for the Zoning Atlas designation applicable to that property. The applicable County Code sections for the Zoning Atlas designations and their respective maximum densities are as follows: Section 3-9-39, OMI – 10 units per acre; Section 3-9-45, CT – 15 units per acre; Section 3-9-33, RMF – 3.5 to 15 units per acre, depending on which RMF designation is applicable to the particular property; and Section 3-9-34, RMF-T – 6 units per acre. The Commercial Center categories are:

### **Sub-neighborhood Commercial Center**

Sub-neighborhood Commercial Centers are designed to provide for the convenience needs of neighborhoods within Charlotte County. Residents of lands located within the Urban Service Area require the services provided by convenience stores and other small retailers. Such stores are generally small in size and usually stand-alone. These centers are characterized by quick stop convenience stores, many of which sell gasoline, and may have more than one stand-alone tenant per site. Sub-Neighborhood Commercial Centers must have sufficient buffering to prevent intrusion into residential areas and may only be developed only with as a Planned Unit Development zoning designation. Residents of lands located within the Urban Service Area require the services provided by convenience stores and other small retailers. Such stores are generally small in size and usually stand alone. For these reasons, the designation of Sub-neighborhood Commercial Centers may be developed under a residential or commercial FLUM designation is not depicted on the Future Land Use Map within residential lands, but is allowed by special zoning district. The functional classifications Sub-neighborhood Commercial Center are:

- range of acreage: 2 to 3 acres;
- maximum building coverage of a site is 60%;
- maximum floor area ratio: .60;
- support population: 3,000 to 4,000 persons;
- service area: up to a 1 mile radius;
- located adjacent to and with access provided by major arterial or collector roadways;
- located at the intersections of two arterial or collector roadways.

### **Neighborhood Commercial Center**

Neighborhood Commercial Centers are designed to provide for the daily shopping and service needs of residents located in surrounding neighborhoods. Businesses operating in Neighborhood Commercial Centers provide professional services and daily convenience and retail goods such as food, drugs, and sundries which meet the needs of the immediate trade area. The functional classifications for Neighborhood Commercial Centers are:

- range of acreage: 3 to 10 acres;
- maximum building coverage of a site is 50%;
- maximum floor area ratio: .50 for stores; 1.0 for professional office buildings;
- support population: 4,000 to 8,000 persons;
- service area: up to a 3 mile radius;
- located adjacent to and with access provided by arterial or collector roadways.

### **Community Commercial Center**

Community Commercial Centers offer a greater variety of goods and services than Neighborhood Commercial Centers and, therefore, serve a much larger area. They may offer discount and specialty retailers such as junior department, mass retail, hardware, or furniture stores. The functional classifications for Community Commercial Centers are:

- range of acreage: 10 to 30 acres;
- maximum building coverage of a site is 50%;
- maximum floor area ratio: 1.00;

- support population: up to 40,000 persons;
- service area: up to 10 miles.

### **Regional Commercial Center**

Regional Commercial Centers provide the greatest variety of merchandise, institutional, and professional services. They offer shopping goods, general merchandise, apparel, home furnishings, and other commodities. Regional Commercial Centers contain at least one (1) major department store and several smaller specialty stores. The functional classifications for Regional Commercial Centers are:

- range of acreage: greater than 30 acres;
- maximum building coverage of a site is 50%;
- maximum floor area ratio: 1.75;
- support population: minimum 80,000 persons;
- service area: county and region wide.

### **Rural Commercial Center**

Rural Commercial Centers are small centers which serve the East County Planning Area. Allowable uses shall have a functional relationship to the social and economic needs of the residents in the surrounding areas. Rural Commercial Centers offer food, retail, general, gasoline, and farm equipment and feed stores. The functional classifications for Rural Commercial Centers are:

- range of acreage: maximum of 15 acres;
- maximum building coverage of a lot is 50%;
- maximum floor area ratio: .60;
- support population: 10,000 persons;
- service area: 15 miles.

### **Commercial Corridor**

Commercial Corridors are areas located along major urban corridors within Charlotte County. These corridors generally include, but are not limited to, US 41, US 17, SR 776, CR 775, and CR 771. Allowable uses shall include retail and service uses, wholesale stores, professional offices, hotels, motels, and restaurants. Maximum building coverage shall not exceed 50%. Maximum floor area ratio shall not exceed .60. A property that was designated prior to June 10, 2003, on the Zoning Atlas either as Office, medical and institutional (“OMI”), or as Commercial Tourist (“CT”), or as a multi-family zoning designation of Residential, multifamily (“RMF”) or as Residential, multifamily/tourist (“RMF-T”) , shall be allowed to develop multi-family residential at a density not to exceed the density as specified in the Code of Laws and Ordinances of Charlotte County, Florida (“County Code”), for the Zoning Atlas designation applicable to that property. The applicable County Code sections for the Zoning Atlas designations and their respective maximum densities are as follows: Section 3-9-39, OMI – 10 units per acre; Section 3-9-45, CT – 15 units per acre; Section 3-9-33, RMF - 3.5 to 15 units per acre, depending on which RMF zoning designation is applicable to the particular property; and Section 3-9-34, RMF-T – 6 units per acre.

**Policy 2.2.5:** In nonplatted locations or those platted areas with lots of 3 acres or more in size, proposed developments should contain a minimum of three (3) acres. Clustered development with parking along the sides or rear of the sites and provisions for shared driveway access or an internal traffic circulation pattern between abutting properties with limited driveway access points will be strongly encouraged by specific incentives within the Land Development Regulations.

**Policy 2.2.6:** In order to discourage strip commercial development (linear commercial development located along roadways), the designation of additional Commercial Corridor sites is prohibited. New strip commercial development will be limited to areas currently designated as Commercial Corridor on the Future Land Use Map. An exception to this policy may be made in the case of infill development resulting from a Future Land Use Map amendment which changes the designation of property within an area which has adjacent Commercial Corridor lands located in both directions along the roadway or in order to increase the depth of existing lots.

**Policy 2.2.7:** Access to commercial land uses will generally only be provided by arterial or collector roadways and not by a local residential street unless it provides the only available access.

**Policy 2.2.8:** Charlotte County will enforce its landscaping and buffers regulations on all new commercial developments to protect the aesthetic qualities of commercial lands and to provide shady, well-landscaped parking lots in all commercial areas.

**Policy 2.2.9:** Developers of commercial land uses will provide buffering in order to protect adjacent, less intensive land uses from adverse impacts such as noise, lighting, and traffic.

**Policy 2.2.10:** Charlotte County will encourage infill commercial activity within lands illustrated on the Future Land Use Map as "Commercial Corridor", Commercial Center, and Mixed Use and will require, whenever possible as a part of the development review process, common access and shared parking in the interest of public safety.

**Policy 2.2.11:** Charlotte County will encourage aesthetic improvements for commercial business along the roadways of Commercial Corridors and in other areas of concentrated commercial and professional activity - such as Charlotte Harbor Town - by working with neighborhood, civic, commercial, and professional organizations to plan for landscaping, planting, and maintenance of landscape material and by providing specific incentives within the Land Development Regulations.

**Policy 2.2.12** (*Modified by Ordinance # 98-074, Adopted on December 8, 1998*): The following classifications shall be used to designate industrial lands:

### **High Intensity Industrial**

These lands are designated for facilities which manufacture products from a raw material, as well as machinery and automotive repair shops, and facilities which store fuel, oil, or gasoline, sell items produced on site, or commercial sites serving industrial uses. High Intensity Industrial lands must be located with convenient access to principal highways or major arterial roads. Maximum building coverage will not exceed 40%. Maximum floor area ratio shall not exceed 1.0.

### **Low Intensity Industrial**

These lands are designated for facilities which assemble, market, and distribute products, engage in research and development, or commercial uses. Low Intensity Industrial lands must have convenient access to principal highways or arterial roads. Maximum building coverage of a lot or parcel will not exceed 40%. Maximum floor area ratio shall not exceed 1.0.

**Policy 2.2.13:** Industrial designated lands shall be located within the Urban Service Area.

**Policy 2.2.14:** Industrial designated lands, while located within the Urban Service Area, will be dispersed throughout the County's geographic regions in order to provide employment opportunities.

**Policy 2.2.15** (*Modified by Ordinance # 2008-020, Adopted on February 19, 2008*): Within the Urban Service Area, the Future Land Use Map will not be amended to show new industrial uses unless the following criteria are met:

- a. the site offers generally safe and easy access to major transportation facilities;
- b. the site has direct access via direct frontage or private drive to a major rural collector, urban collector, minor arterial, or principal arterial thoroughfare;
- c. the site is readily accessible to other forms of urban development, including significant employment opportunities;
- d. the site has adequate potable water and sanitary sewer facilities;
- e. soils are suited to the intended use;
- f. the site is generally compatible with surrounding land uses;
- g. the site does not contain environmentally sensitive lands, or contains sufficient land which can support the proposed use without impacting environmentally sensitive lands;
- h. the site is not located within a Wellhead Protection Area or the Surface Water Protection Overlay District and the proposed use will not have a quantifiable adverse impact upon lands located within those overlay districts;
- i. the site, when developed at its full potential, will not adversely impact the legitimate pursuit of agriculture or commerce by neighboring property owners.
- j. the site is within the Urban Service Area.

**Policy 2.2.16:** Industrial development will generally not infringe upon existing residential land uses or upon lands illustrated as "Residential" on the Future Land Use Map.

**Policy 2.2.17:** Industrial uses will be buffered from incompatible adjacent land uses by means such as vegetative, natural, or opaque barriers. The Land Development Regulations will provide appearance standards for buffering techniques.

**Policy 2.2.18** (*Amended by Ordinance # 2005-066, Adopted on September 9, 2008*): The following classifications shall be used to designate agricultural lands

### **Agriculture**

These lands are designated for agricultural activities and are located primarily within the Rural Service Area. Agricultural lands may not exceed a maximum residential density of one (1) dwelling unit per ten (10) acres within the Rural Service Area and one (1) dwelling unit per one (1) acre within the Urban Service Area. Uses on land designated as such include: single-family residential dwelling units, ranching, crop farming including citriculture, silviculture, aquaculture, and row crops.

### **Mineral Resource Extraction**

This designation shall be utilized for lands wherein the intent is to extract rock, sand, gravel or similar non-renewable substances occurring in their natural state on or below the surface of the earth for commercial purposes. Commercial excavations are identified in Article XXIII, Excavation and Earthmoving, Charlotte County Code of Laws and Ordinances as a Group III excavation. This Mineral Resource Extraction designation shall only be applicable to properties located in the Rural Service Area; excluding lands in the West County Planning District or any property within the Special Surface Water Protection Overlay District (Map #3 of the Future Land Use Map series) and the aquifer recharge area of northeast Charlotte County (Map 3.14) or within 2,640 feet (1/2 mile) of the overlay or recharge areas. The types of land uses allowed in this future land use category, as well as the guidelines and standards applicable under this designation, are as follows:

- a. Under this designation, a property owner or lessee may apply for a Group III excavation, which are commercial excavations; engage in agricultural use of the property as defined by the Agriculture FLUM designation; or conduct uses as allowed under the Resource Conservation and Preservation FLUM designations.
- b. The zoning districts consistent with this FLUM designation are Excavation and Mining, Section 3-9-55; Agriculture General and Agriculture Estates, Section 3-9-30; and Environmentally Sensitive, Section 3-9-28, Charlotte County Code of Laws and Ordinances, as may be amended.
- c. Properties that have been approved for mining operations by the county prior to the adoption of this designation shall have a continuing right to conduct excavation operations in accordance with the approved permit, the Comprehensive Plan and the Excavation and Earthmoving Code. However, any person with an expired or inactive permit shall not seek an extension or renewal unless a land use change to this

- designation is approved. New excavation permit applications or requests for expansion or changes to an approved Class III excavation permit proposed subsequent to the adoption of this designation shall be permitted only after adoption of a plan amendment to Mineral Resource Extraction, zoning review and approval, and approval from the Hearing Examiner in charge of excavation permits.
- d. Permitted extraction activities under this designation shall include the removal of mineral resources from the ground and the processing of those resources.
  - e. The minimum acreage under this designation is fifty (50) acres; the maximum lot coverage by all buildings is ten (10) percent; the maximum height of structures is sixty (60) feet; the maximum density is equivalent to that of the prior FLUM designation - one (1) unit per ten (10) acres or one (1) unit per forty (40) acre as applicable.
  - f. Any person applying for this designation must submit:
    1. A concept plan showing the approximate boundaries of any area(s) that would be excavated, along with the probable size, shape, and depth of the excavation area(s), recharge trenches and settling ponds.
    2. A map of all man-made features on the site and within 500 feet of the site.
    3. A survey of wetlands on the site and a map showing approximate locations of wetlands and other water features within ½ mile of the site, as applicable; discuss how a proposed excavation will not be a detriment to those resources.
    4. A discussion of quality of life issues, in particular, the affect of a proposed excavation upon the health, safety and welfare of residents within 2,640 feet (1/2 mile) of the site.

**Policy 2.2.19:** Charlotte County will encourage the bona fide practice of agriculture and will promote the conservation of agricultural lands to assure that the County experiences no substantial loss of agricultural productivity.

**Policy 2.2.20:** Agricultural lands illustrated on the Future Land Use Map will be generally located within Charlotte County's Rural Service Area. This policy will not be construed to prohibit the practice of bona fide agricultural uses within the Urban Service Area.

**Policy 2.2.21:** Charlotte County will preserve the economic viability of agricultural lands and will prevent the premature conversion of these lands to other uses.

**Policy 2.2.22:** Agricultural lands within Charlotte County may be converted to other uses when a demonstrated need has been established and it is determined that it does not constitute urban sprawl or promote urban sprawl in surrounding area. A conversion of agricultural land to more intensive urban uses must occur in accordance with the Urban Service Area strategy Rural Community or New Community concepts, or Development of Regional Impact.

**Policy 2.2.23:** Through the resources of the Agricultural Extension Service, Charlotte County will actively promote the conservation of bona fide agricultural uses, and will provide information to agricultural producers to improve production and methods.

**Policy 2.2.24:** The following classifications shall be used to designate lands which serve a broad variety of public purposes:

### **Parks and Recreation**

These lands are designated as either active (facilities based) or passive resource-based recreational uses and are located in urban and rural areas. These lands may contain resource-based park sites and their associated facilities or open space with minimal facilities. Parks and recreational lands may be publicly or privately owned.

### **Public Lands and Facilities**

These lands are characterized by public ownership or by private ownership of they are facilities which accommodate the general public. Public Lands and Facilities include those lands owned by Charlotte County general government, the Charlotte County School Board, private schools, churches, auditoriums, play houses, museums, the City of Punta Gorda, the State of Florida, the United States government, and private hospitals, and utilities.

**Policy 2.2.25** (*Modified by Ordinance # 2008-019, Adopted on February 19, 2008*): The following designations shall be used for environmentally sensitive lands:

### **Preservation**

These areas will be maintained as public and private aquatic preserves, wilderness areas, wildlife sanctuaries, and similar uses for the protection of open spaces, natural lands, rivers and watersheds. Allowable development activities include those necessary for management of the resource and limited public access, and sparse residential use. Uses permitted in preservation areas shall be primarily of a passive nature, related to the aesthetic, educational and scientific enjoyment of the natural resources. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation.

- Residential densities in privately owned areas may not exceed one (1) dwelling unit per ten (10) acres within the Urban Service Area and one (1) dwelling unit per forty (40) acres within the Rural Service Area (consistent with Policy 2.2.27). Any development associated with a residential use cannot exceed 10% or 3,500 square feet, whichever is greater, of the subject property. Residential development of non-conforming lots of record less than 10,000 square feet in total area shall not exceed 35% lot coverage.
- The maximum FAR for all non-residential structures is 0.10 and the maximum impervious surface ratio for all non-residential uses is 0.10.

### **Resource Conservation**

These areas will be maintained for continuing the sustainable yield of natural resources, including game, sport fishing, timber, low intensity agriculture (i.e. native range for grazing livestock, carefully improved pasture in pine flatwoods and wet prairie habitat), potable water, the preservation of natural lands and open spaces, and sparse residential use. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation. High intensity agriculture may be permitted on privately owned lands within this designation based on information derived from, but not limited to FLUCCS mapping, species survey and hydrological survey.

- Residential densities may not exceed one (1) dwelling unit per forty (40) acres (consistent with Policy 2.2.27) and must be developed so as to minimize any impacts to natural resources. Any development associated with a residential use cannot exceed 10% or 3,500 square feet, whichever is greater, of the subject property. Residential development of non-conforming lots of record less than 10,000 square feet in total area shall not exceed 35% lot coverage.
- The maximum FAR for all non-residential structures is 0.10. The maximum impervious surface ratio for all non-residential uses is 0.10.

**Policy 2.2.26:** Charlotte County will protect environmentally sensitive lands and waters from urban development through various means including, but not limited to, the acquisition and maintenance of land and density units, or through land use regulation. Implementation programs shall include transfers of density units, stormwater management, the Special Surface Water Protection Overlay District, prohibition of discharges of untreated wastewater, and erosion control.

**Policy 2.2.27:** The following exception to the densities established for Preservation and Resource Conservation areas on the Future Land Use Map by the comprehensive plan shall apply to single lots of record and ownership which were established on or before January 25, 1994 and which are not contiguous to other lots or parcels under the same ownership. An exception for density shall be made for any such lot described above so that one (1) single family dwelling unit may be built. On lots which are contiguous to other lots or parcels under the same ownership, the owner is entitled to build only one (1) single family dwelling unit on such contiguous lots. These exceptions relate to density only. Development undertaken pursuant to this policy shall be consistent with, and is subject to, all other provisions of this plan including, but not limited to, concurrency and the protection of natural resources.

**Policy 2.2.28** (*Modified by Ordinance # 2005-002, Adopted on January 18, 2005 & Ordinance #2008-065, Adopted on September 9, 2008*): The following designations shall be used for lands that contain or may contain a vertical and/or horizontally arranged mixed-use or multi-use development. Lands designated Mixed Use will allow a development style that combines diverse but compatible uses under a cohesive, master planned design. Mixed-use development is intended to encourage a variety of community activities and services to co-exist in close proximity. The resulting compact development should thereby reduce the need for extensive automobile travel and reduce

infrastructure costs. As specified in 9J-5.006(4)(c), the policy(ies) that implement and guide development in these districts will include the types of land uses allowed, the percentage distribution among the mix of uses, or other objective measurement, and the density or intensity of each use. In the case of a Mixed Use DRI district, these standards (type, distribution, intensity, and other objective measures) of land use shall be written into the locally adopted development order as provided in section 380.06, Florida Statutes.

### **Mixed Use Development of Regional Impact [DRI]**

Mixed Use DRI designates lands, which, because of their character, magnitude, or location, have substantial effects upon the health, safety, and welfare of citizens within Charlotte County and at least one additional surrounding county or municipality. Lands designated as such meet the threshold requirements identified within Chapter 380.06, Florida Statutes and must undergo intergovernmental review as specified in that chapter as a Development of Regional Impact (DRI). All developments within a Mixed Use DRI district must be constructed in accordance with a final development order approved by the Board of County Commissioners.

### **New Community Mixed Use**

Lands designated as New Community Mixed Use must meet the criteria that are described in Objective 2.6 and Policies 2.6.1 to 2.6.15, inclusive. New Communities may be developed as a DRI subject to a development order. The corresponding zoning district to implement the land use shall be a Planned Development district as provided in section 3-9-49 of the Code of Laws and Ordinances of Charlotte County, Florida.

### **Rural Community Mixed Use**

Lands designated as Rural Community Mixed Use must meet the criteria that are described in Objective 2.7 and Policies 2.7.1 to 2.7.16, inclusive. Rural Communities may be developed as a DRI subject to a development order. The corresponding zoning district to implement the land use shall be a Planned Development district as provided in section 3-9-49 of the Code of Laws and Ordinances of Charlotte County, Florida.

### **General Mixed Use**

Lands designated as Compact Growth Mixed Use (CGMU) shall be located within the Urban Service Area, and contain a combination of at least two land uses. There are three types of CGMU. Type I is considered appropriate for a stand alone development or as a transition between either a Type II or Type III development and adjacent neighborhoods. Type II and Type III Mixed Use developments are intense node developments with a distinctly urban scale and scope, and should only be located along SR776, US 41, and US 17. A Type II node development allows for a highly urbanized commercial/residential development. A Type III node development has the potential to be larger, and may include some intensive commercial and light industrial uses. Type II and Type III developments may not be established within two (2) miles of an already approved or proposed Type II or Type III development, unless an expansion of an already approved

development that does not exceed the maximum acreage limit of that Type is requested.

As part of the application for a Future Land Use Map change to any type of CGMU, an applicant must declare both a maximum density and maximum FAR to which the desired project will be developed. Such limits must be within the guidelines established herein. Any application will be processed with the applicant's desired limits clearly established; these limits will be adopted into the Comprehensive Plan as an appendix to the Future Land Use Element, and any future increases to subsequently approved limits will require an amendment to the comprehensive plan. If residential development is proposed, the applicant must supply information that establishes a base density for the project site. The base density will be included in the appendix. Development of residential above the base density shall require a transfer of density.

General development standards:

- Developers are required to design and submit both a conceptual development plan and development guide that utilizes creative, efficient, and conscientious land development practices utilizing green building standards, which shall include development standards and design regulations that govern such elements as transportation systems, site access and circulation, on street and shared parking, landscaping and buffering, lighting, signage, stormwater and building and site design. The selection and placement of uses and the massing of structures within this designated area must be fashioned to complement and enhance each other and the surrounding community.
- Mixed use developments shall encourage an energy efficient, environmentally friendly mix of residential, commercial, office and light industrial uses. Developments must contain a pedestrian/bicycle friendly street network to promote easy walkable/cycling access to facilities and services.
- Type II and Type III developments shall incorporate the following design guidelines: Utilize building mass, placement, orientation and setbacks to allow spatial definition along pedestrian oriented streets; use building design standards to enhance massing, scale, pattern, rhythm, material and color; create pedestrian, cycling and open space systems using gathering spaces, landscaping, statuary, seating, light and water features; create linkages to adjacent land uses; parking calculations shall be based on density/intensity, use, and proximity to other land uses; create walking/bike paths and public/private transit areas; create an interconnected circulation system providing on-street parking with convenient access to transit stops and off-site pedestrian and bicycle systems.
- Sufficient shelter shall be created in each development to support the residential population in the event of a natural disaster. Sufficient shelter space for a Category 4 storm event as measured on the Saffir-Simpson Scale shall be provided which meets or exceeds the standards set forth in the "Growth Management Shelter-in-Place Development Policy" dated August 1<sup>st</sup>, 2008, or as amended.
- To best achieve a mix of land uses, projects shall be developed within the range of 50-400 sq. ft of nonresidential building space per one (1) residential unit.

- When assembling properties for inclusion in this land use, the depth to width ratio or width to depth ratio of the assembled properties shall not exceed 4:1. (See attached diagram)
- FAR requirements apply only to non-residential development. Residential development is in addition to the prescribed FAR, and is not limited by these standards.
- The implementing zoning district under CGMU shall be a Planned Development district as provided in Section 3-9-49 of the Code of Laws and Ordinances of Charlotte County, Florida, as may be amended.
- If a project developing under the CGMU FLUM designation meets the threshold of a Development of Regional Impact (DRI), a plan amendment to Mixed Use DRI is not required.

### **Compact Growth Mixed Use Type I**

The conditions applicable to development within a CGMU Type I are as follows:

1. A variety of open space is required. The type and distribution of the open space will be a function of, and determined at, the site plan review.
2. Building standards
  - a. Horizontal coverage: the maximum impervious surface coverage is eighty (80%) percent.
  - b. The maximum nonresidential use FAR is 1.2.
3. Residential: Residential consists of single and multi-family, which may include live/work accommodations. The minimum single-family density is one (1) unit per acre; the maximum multi-family and live/work density is ten (10) units per acre.
4. Commercial: These uses can be any of the principal permitted uses allowed in the Commercial General and Commercial Intensive zoning district.
5. Office/Medical/Institutional: These uses can be any of the principal permitted uses allowed in the Office/Medical/Institutional zoning district as well as essential services.
6. Industrial: These uses can be any of the principal permitted uses allowed in the Industrial Light zoning district.

### **Compact Growth Mixed Use Type II**

The conditions applicable to development within a CGMU Type II are as follows:

1. A project(s) within a Type II designation may be developed as a single use, but the entirety of this area must contain a mixture of uses and one of the uses must be residential.
2. A variety of interior common open spaces are encouraged, such as greenways, plazas and buffers.
3. The minimum acreage is 10 acres, the maximum acreage is 100 acres.
4. Building standards: The minimum nonresidential use FAR is 0.8; the maximum FAR is 2.0.
5. Residential

- a. Residential consists of multi-family uses and attached single family town homes, which may include live/work accommodations.
  - b. The minimum density is ten (10) units per acre; the maximum density is twenty (20) units per acre.
6. Commercial: These uses can be any of the principal permitted uses allowed in the Commercial General or Commercial Intensive zoning districts plus helistops, (*excluding* the sale and service of mobile homes, heavy machinery sales and service, truck stops, and railroad sidings.)
  7. Office/Medical/Institutional: These uses can be any of the principal permitted uses allowed in the Office/Medical/Institutional zoning district as well as essential services.

**Compact Growth Mixed Use Type III**

The conditions applicable to development within a CGMU Type III are as follows:

1. A project(s) within a Type III designation may be developed as a single use, but the entirety of this area must contain a mixture of uses and one of the uses must be residential.
2. A variety of interior common open spaces are encouraged, such as greenways, plazas, and buffers.
3. The minimum acreage is 15 acres. There is no maximum acreage limit.
4. Building standards: The minimum nonresidential use FAR is 0.5; the maximum FAR is 3.0.
5. Residential
  - a. Residential consists of multi-family uses and attached single family town homes, which may include live/work accommodations.
  - b. The minimum density is ten (10) units per acre; the maximum density is thirty (30) units per acre.
6. Commercial: These uses can be any of the principal permitted uses allowed in the Commercial General or Commercial Intensive zoning districts, *excluding* the sale and service of mobile homes, and heavy machinery sales and service, truck stops, and railroad sidings.
7. Office/Medical/Institutional: These uses can be any of the principal permitted uses allowed in the Office/Medical/Institutional zoning district as well as essential services.
8. Industrial: These uses can be any of the principal permitted uses allowed in the Industrial Light zoning district, excluding free-standing communication towers and bulk storage.

**CGMU Development Table**

	Mixed Use Type I	Mixed Use Type II	Mixed Use Type III
Non residential Uses	CG+CI+OMI*+IL*	CG+ CI+ OMI*	CG+CI+OMI*+IL*
Residential uses	Single, Multifamily	Multifamily & Attached Town Homes	Multifamily & Attached Town Homes

Minimum project area (acres)	None	10	15
Maximum project area (acres)	None	100	none
Minimum residential density (du/acre)	1	10	10
Maximum residential density (du/acre)	10	20	30
Minimum FAR	None	0.8	0.5
Maximum FAR	1.2	2.0	3.0
Maximum width to depth ratio	4:1	4:1	4:1
Zoning	PD	PD	PD

\* With exclusions and additions as noted in text.

### **US 41 Overlay Mixed Use**

Lands designated as US 41 Overlay Mixed Use shall be those located along the US 41 Commercial Corridor – this includes property from the Charlotte Harbor CRA to the Sarasota County line and, in many areas, is one block deep. Only those properties located within the boundary of the US 41 Zoning District Overlay can obtain this designation. This designation will allow a mixture of commercial, institutional, office and residential uses. The purpose of this district is to allow redevelopment and new development within the commercial corridor to build to a greater density and intensity, giving the area an urban feel, creating a more attractive economic and business climate, and complementing the County’s beautification efforts. The conditions applicable to development within a US 41 Overlay Mixed Use district are as follows:

- a. Open Space is not required within the US 41 Overlay Mixed Use area. This does not remove the developer’s obligation to pay into the Open Habitat Space Reservation Fund.
- b. Maximum building coverage for all uses is sixty (60%) percent.
- c. Maximum FAR for commercial, office and institutional uses is 1.2.
- d. Commercial and office uses will be limited to professional, business, and personal services, and retail sales and services, unless a Planned Development zoning district is utilized. When utilizing a Planned Development zoning district, any restricted commercial general or commercial intensive use may be requested. Existing intensive commercial and industrial uses will not made non-conforming by this designation.
- e. Residential
  1. Only Multi-family residential uses are allowed.
  2. Minimum multi-family density is 5 units per acre, maximum multi-family density is fifteen (15) units per acre.
  3. Residential density may include units within facilities such as group homes, nursing homes, congregate living facilities, continuum of care retirement facilities, or other similar establishments whenever the units within such establishments are equipped with their own kitchen.

4. Base residential density assigned to property within this district will be based on a determination of the density allowed by the zoning district and FLUM designation at the time of plan amendment; this density will be credited towards residential development within the district. Development of residential density above the base density shall require a transfer of density.

**Policy 2.2.29** (*Created by Ordinance # 2002-054, Adopted on October 15, 2002*): The following classification shall be used to designate property within the Enterprise Charlotte Airport Park (ECAP) Overlay District. Development of said properties shall be consistent with the provision of these policies and the provisions of Policies 2.5.6 through 2.5.8

#### **Enterprise Charlotte Airport Park**

The Enterprise Charlotte Airport Park FLUM designation will allow for a mixture of uses such as airport and public facilities; light manufacturing, publication, telecommunication, and transportation businesses; distribution, medical, office, research, and educational facilities; commercial, and institutional uses. The following standards shall apply to development within lands illustrated on Map No. 1 of the Future Land Use Map series as Enterprise Charlotte Airport Park:

- The maximum lot coverage by commercial buildings shall not exceed 50% and the maximum floor area ratio shall not exceed 1.0.
- The maximum lot coverage by industrial buildings shall not exceed 40% and maximum floor area ratio shall not exceed 1.0.
- The maximum lot coverage by residential structures shall not exceed 35% and the maximum floor area ratio shall not exceed 1.0.

**Policy 2.2.30** (*Created by Ordinance # 2002-054, Adopted on October 15, 2002*): Charlotte County will issue no development order (as that term is defined in Section 163.3164, Florida Statutes) for any development on property with an Enterprise Charlotte Airport Park FLUM designation unless the site is served, or scheduled to be served, by road and drainage infrastructure, and potable water and sanitary sewer infrastructure and utilities. Charlotte County will issue no certificate of occupancy for any development on property with an Enterprise Charlotte Airport Park FLUM designation unless the road and drainage infrastructure, and potable water and sanitary sewer infrastructure and utilities are constructed and operating at a Level of Service at or above that adopted by the County.

**Policy 2.2.31** (*Created by Ordinance # 2002-054, Adopted on October 15, 2002*): In order to uphold the purpose and intent of the Enterprise Charlotte Airport Park Overlay District, certain land uses are prohibited or restricted within the Enterprise Charlotte Airport Park FLUM designation. Restrictions will be more specifically identified and described through the creation of zoning districts within the Enterprise Charlotte Airport Park Overlay District. Prohibited uses within the Enterprise Charlotte Airport Park FLUM designation are listed below:

- Wrecking yards, including automotive vehicle wrecking yards;

- Storage and manufacture of explosives, except that this restriction shall not preclude storage of explosives by any branch of the United States Armed Forces, the Coast Guard, the Florida National Guard, or any federal, state, or local law enforcement agency, or as part of an approved air show or other special event;
- Bulk storage of flammable liquids except on Charlotte County Airport Authority property;
- Asphalt/Concrete manufacturing and storage and similar uses;
- Sexually oriented businesses;
- Residential or model homes, and recreational vehicle parks, except that this restriction shall not preclude the maintenance or enlargement of any use that would otherwise be subject to the prohibition contained herein, provide that such use is existing at the time of the adoption of this policy and, provided further, that such maintenance or enlargement of such use takes place solely within the boundaries of the property containing such use as those boundaries exist at the time of the adoption of this policy;
- Institutional uses (not commercial hotels or motels) which require clientele to stay one or more nights or live on the premises, such as nursing homes or hospitals;
- Outdoor storage yards not associated with a business, such as RV Park storage, boat trailer storage, etc.;
- Recreational uses;
- Chemical and fertilizer plants;
- Paper and pulp facilities;
- Tanneries with curing or storage of raw materials;
- Stockyards and feeding facilities;
- Landfills;
- Mini-warehouses and self storage facilities;
- Communication towers; and
- Uses that have as their intended product(s) nuclear, hazardous, or biohazardous materials, or which generate such materials as by-products or wastes in amounts which exceed those allowed for small quantity generators as designated by appropriate federal or state authorities. This restriction is not intended to preclude the use of such materials when it is integral to uses allowed as permitted principal or conditional uses, or uses allowed by special exception under the zoning districts ultimately developed for properties in the Enterprise Charlotte Airport Park FLUM designation. This restriction shall not preclude the use of nuclear, hazardous or biohazardous materials, or other uses or materials which may otherwise be subject to the prohibition contained herein, by any branch of the United States Armed Forces, the Coast Guard, the Florida National Guard, or any federal, state or local law enforcement agency.

**Policy 2.2.32** (*Created by Ordinance # 2005-086, Adopted on November 15, 2005*): The following classifications will be used for lands located within the Burnt Store Planning Overlay district (Maps 10A and 10B of the Future Land Use Map series). Development

of said lands shall be consistent with the provisions of this policy and Policies 2.5.9 through 2.5.27.

**Village Residential**

Lands designated as Village Residential on the Future Land Use Map are intended for areas that are currently vacant or under active agricultural use, and will transition into development of residential and commercial areas. These lands must be located within the Urban Service Area. Residential, commercial, recreational, and institutional uses are allowed in this category, and may either be independently developed or integrated through a common plan of development. The Village Residential land use category is intended to provide for a mix of residential unit types and housing options including multi-family and single family units sold either fee-simple or as condo units.

Properties within this land use category are allowed one dwelling unit per 10 acres by right, but may, through rezoning as a Planned Development request up to a maximum density of five dwelling units per acre. Residential density at the higher end of the density range is encouraged in proximity to the designated commercial nodes, or where properties have direct access to more than one public road. Any rezoning which seeks density greater than 1 dwelling unit per 10 acres must be submitted as a Planned Development.

Sub-Neighborhood Commercial Centers are allowed in this category through a Planned Development zoning. A Sub-neighborhood Commercial Center may not exceed 10% of the gross total development area and must be developed in a compact, nodal configuration. Properties at the commercial nodes must contain a neighborhood or community level commercial center (per Policy 2.2.4). However, retail development will be limited to a maximum floor area ratio of 0.25 and office development to a maximum floor area ratio of 0.5 (In accordance with the Table below). Single use buildings or tenants are limited in size to neighborhood levels of commercial development. Commercial developers are encouraged to work with Charlotte County, the US Postal Service and other governmental service providers to locate branch facilities in commercial areas. Proposed developments that contain both residential and commercial uses are encouraged to submit for zoning approval through a single, mixed use planned development. “At the Commercial Nodes” is defined by being within a quarter mile from the center point of the intersection of the node.

Location	Min. Sq. Ft. Per Corner	Max. Sq. Ft. Per Corner*
Tucker’s Grade / Burnt Store	30,000 Sq. Ft.	200,000 Sq. Ft.

\*Single use buildings shall be limited to 100,000 square feet.

**Limited Development**

These lands are areas where development potential may be possible in the future, but is currently limited by either road access or environmental constraints. As designated on the Future Land Use Map properties within this land use category are allowed one dwelling unit per 10 acres by right, but through rezoning to a Planned Development, may increase to a maximum of up to two dwelling units per acre if located within the Urban Service Area. Allowable density will be determined through evaluating road access, preferably direct access to a road meeting arterial or collector standards, and through preservation of environmentally sensitive wetland and upland areas. Any rezoning which seeks density greater than 1 dwelling unit per 10 acres must be submitted as a Planned Development.

### **Agriculture**

These lands are those that retain an agriculture designation but which have been placed inside the Urban Service Area. Properties within this land use category and located inside the Urban service Area of the Burnt Store Planning Overlay are allowed one dwelling unit per 10 acres by right, but through a rezoning to Planned Development, may increase to a maximum of up to one dwelling unit per acre. Density may be increased above one unit per acre, but only through a change in designation to Village Residential or Limited Development and a rezoning to Planned Development. Allowable density will be determined through an evaluation of road access (preferably direct access to a road meeting arterial or collector standards) and the preservation of environmentally sensitive wetland and upland areas.

**Objective 2.3 (Community Redevelopment Agency)** (*Modified by Ordinance # 2005-094, Adopted on November 15, 2005*): Charlotte County will continue to implement the Charlotte Harbor Community Redevelopment Plan adopted for the Charlotte County 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:** Charlotte County will continue to implement the Charlotte Harbor Community Redevelopment Plan (as modified January 24, 2006) as amended from time to time to eliminate the conditions of blight that were identified in the Findings of Necessity (Resolution 92-951).

**Policy 2.3.2:** The Charlotte Harbor Community Redevelopment 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 the preceding policies as well as the following:

**Neighborhood Business/Residential** (*Modified by Ordinance # 2005-007, Adopted on January 18, 2005 and Modified by Ordinance # 2005-094, Adopted on November 15, 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. Commercial uses may not exceed 80% nor may residential uses exceed 80% of the total area designated as Neighborhood Business/Residential.

Specific conditions applicable to the Neighborhood Business/Residential designation include:

- the maximum residential density is ten (10) dwelling units per 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 2.5;
- 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 Development (PD);
- commercial uses are limited to 8,000 square feet of gross leasable area unless developed as part of a Planned Development (PD).

**Mixed Use (CRA)** (*Modified by Ordinance # 2005-094, Adopted on November 15, 2005*)

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. Commercial uses may not exceed 80% nor may residential uses exceed 80% of the total area designated as Mixed Use (CRA). Properties are not required to be developed with more than one use.

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 Development (PD);
- commercial intensive uses, such as automobile and heavy machinery sales and repairs, are prohibited from Mixed Use areas.

**A. Residential 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 Development (PD).

**B. Commercial and Professional Office Development**

- development is limited to general retail and neighborhood stores, tourism establishments, restaurants, and personal and business services;
- maximum floor area ratio is 2.5;

### **C. Residential and Commercial/Professional Office Mixed 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 acre;
- residential development must be located on a separate floor from commercial or office uses;
- maximum floor area ratio is 2.5

#### **Commercial Tourist** (*Modified by Ordinance # 2005-094, Adopted on November 15, 2005*)

The Commercial Tourist designation provides for tourist accommodations and services, as well as recreational activities and allows for residential development up to 15 units per acre. 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 2.5.

### **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, 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 2.3.3:** In order to protect the public safety, mobile homes are prohibited within the Charlotte Harbor Community Redevelopment Area, which is located primarily within the "Coastal High Hazard" area.

**Policy 2.3.4:** 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 2.3.5:** Only low intensity manufacturing and industrial uses are permitted within the lands designated as "Industrial" within the Charlotte Harbor Community Redevelopment Area. Examples of low intensity manufacturing and industrial uses include wholesaling, warehousing, automotive sales and service, and printing businesses.

**Policy 2.3.6:** Industrial uses within the Charlotte Harbor Community Redevelopment Area will be limited to the existing industrial designated areas.

**Policy 2.3.7:** The Charlotte Harbor Community Redevelopment Agency Advisory Committee (CRAAC) 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 2.3.8:** *(Modified by Ordinance #98-50, Adopted on July 7, 1998):* Potential land acquisition sites within the Charlotte Harbor Community Redevelopment Agency district will, upon acquisition, be developed as parks or to implement other redevelopment projects as identified in the Charlotte Harbor Community Redevelopment Plan.

**Policy 2.3.9:** Charlotte County will continue to implement the Charlotte Harbor Sidewalk Master Plan that is identified needed in the Charlotte Harbor Community Redevelopment Plan. By January 2009, the plan will be incorporated into the Charlotte County MPO Bicycle and Pedestrian Plan.

**Policy 2.3.10:** Charlotte County will continue to implement a Land Development Code specifically for the Charlotte Harbor Community Redevelopment Area. The Land Development Code includes provisions for performance-based height standards, preservation of historical structures, buffering between land uses, design and maintenance standards for properties, and signage.

**Policy 2.3.11:** To the greatest extent possible, commercial uses will not front on local streets within the Charlotte Harbor Community Redevelopment 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 2.3.12:** Within the Charlotte Harbor Community Redevelopment 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 2.3.13:** Existing uses and structures within the Charlotte Harbor Community Redevelopment Area 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 Land Use Regulations will specifically address non-conforming uses and structures.

**Policy 2.3.14:** Transfers of Density Units (TDUs) within the Charlotte Harbor Community Redevelopment Area are addressed in the applicable ordinances and shall be used as an incentive to encourage infill development.

**Policy 2.3.15:** Charlotte County will continue to seek additional funding sources in order to leverage tax increment revenues to complete identified infrastructure needs within the Charlotte Harbor Community Redevelopment Area.

**Objective 2.4 (Charlotte Harbor Management Plan):** New development in Charlotte County will be consistent with the provisions of the Charlotte Harbor Aquatic Preserves Management Plan (May 1983) designated and managed as wilderness preserves providing for consumptive and non-consumptive uses as applicable to each resource, Charlotte Harbor Surface Water Improvement and Management (SWIM) Plan (January 15, 1993) which seeks to preserve natural and function components of the ecosystem in order to support biological communities, and the Lemon Bay Aquatic Preserve Management Plan (June 1991) which seeks to preserve marine and estuarine areas in natural or restored conditions.

**Policy 2.4.1:** The Charlotte Harbor Management Plan, Charlotte Harbor Surface Water Improvement and Management (SWIM) Plan, and the Lemon Bay Aquatic Preserve Management Plan are hereby adopted by reference as a part of the comprehensive plan of Charlotte County.

**Policy 2.4.2:** All development approvals and Future Land Use Map and rezoning amendments in Charlotte County shall be consistent with the provisions of the Management Plans identified in Policy 2.4.1.

**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.

**Policy 2.5.1:** The Special Surface Water Protection Overlay District (SSWPOD) designates land areas in Charlotte County which border surface waters that are sources for potable water and recreational fisheries, and also contain significant wetland habitats. Development within these areas will be restricted so that there is minimal disruption to the natural hydroperiods, flows, and water quality. Allowable uses are limited to low density and intensity applications as depicted on the Future Land Use Map as Preservation, Low Density Residential, Rural Estate Residential, Agriculture, and Resource Conservation. With the exception of bona fide agricultural operations and incidental domestic uses, land uses which utilize, store, or generate hazardous materials, or which involve the bulk storage or transmission of petroleum products or other hazardous substances, shall be prohibited. The design criteria and development standards of a project will be reviewed, depending on use, by staff prior to any land clearing or permit issuance. The impacts to be reviewed include, but are not limited to, erosion control, stormwater management, water quality monitoring, annual reports on water quality, and setback requirements.

**Policy 2.5.2:** The Land Development Regulations to implement this comprehensive plan shall incorporate provisions to require site plan review for new development in areas designated as Special Surface Water Protection Overlay District. This district shall be identified on the Future Land Use Map series. The Land Development Regulations will

include provisions for restrictions of use, development standards, annual reports on water quality and monitoring and procedures for development.

**Policy 2.5.3:** The Bridgeless Barrier Island Overlay District (BBIOD) consists of Charlotte County's bridgeless barrier island chain and includes, Don Pedro Island, Knight Island, Thornton Key, and Little Gasparilla Island. In order to reduce the potential for devastation resulting from involuntary natural disasters, this overlay district restricts the intensity of residential development. Residential densities within the district may not exceed one (1) dwelling unit per gross acre. All residential lots created within the Bridgeless Barrier Island Overlay District subsequent to February 1, 1992 shall not exceed one (1) dwelling unit per gross acre requirement. However, all residential lots created consistent with the Charlotte County Subdivision Regulations shall have an allowable density of one (1) dwelling unit per subdivided lot.

**Policy 2.5.4:** Using information from the Marine Land Use and Water Siting Study, Charlotte County will consider development of a Marina Overlay District which identifies the location of existing marinas and locations which are appropriate for future marinas. Development within those Marina Overlay District locations will be allowed proceed in accordance with the underlying Future Land Use Map designation and will be supportive of Objective 1.11 Working Waterfront .

**Policy 2.5.5:** The Urban Service Area Overlay District designates the locations in Charlotte County, which will receive increased levels of service for infrastructure and services in accordance with Policy 1.1.1.

**Policy 2.5.6** (*Created by Ordinance # 2002-054, Adopted on October 15, 2002*): The Enterprise Charlotte Airport Park (ECAP) serves as an overlay to the Future Land Use Map. The ECAP covers the Charlotte County Airport and surrounding properties, which boundary shall be identified on Map No. 9 of the Future Land Use Map series. The overlay serves to designate a distinct area wherein specific land use standards and regulations will be implemented to guide the development of uses and structures in a manner that will enhance the social and economic resources of the County. The Board of County Commissioners may consider the creation of a special district, unit, or other funding mechanism in accordance with any of the powers or the authority granted under Chapters 125, 163 and 189, Florida Statutes, in order to direct development of the overlay district. All property within the ECAP will be designated as Enterprise Charlotte Airport Park on the Future Land Use Map, which designation and development criteria is described in Policies 2.2.29 through 2.2.31.

**Policy 2.5.7** (*Ordinance # 2002-054, Adopted on October 15, 2002*): The creation of the ECAP serves a vital purpose in supporting the residents of Charlotte County by expanding and diversifying employment opportunities and the County's tax base. It also serves to protect the Charlotte County Airport from encroachment by incompatible uses.

**Policy 2.5.8** (*Ordinance # 2002-054, Adopted on October 15, 2002*): It is the intent of Charlotte County that all uses within the ECAP will employ creative, efficient, and conscientious land development practices that will enable the County to effectively compete for high skill, high wage jobs. The land development practices will establish an aesthetically pleasing campus- or park-like atmosphere dedicated to a mix of development types, which emphasize light, clean industry and supporting uses. Towards this end, the range of uses permitted under the Enterprise Charlotte Airport Park FLUM will be refined into groups, which will be adopted as part of an implementing zoning district within the Code of Laws and Ordinances of Charlotte County (County Code). The selection and placement of uses within districts and the location of the districts will be fashioned to complement and enhance each other, total development within, and surrounding the ECAP. Development standards and design regulations will also be adopted as part of the County Code to govern such elements as transportation systems, site access and circulation, landscaping and buffering, lighting, signage, and building and site design.

**Policy 2.5.9** (*Created by Ordinance # 2005-086, Adopted on November 15, 2005*) **Burnt Store Planning Overlay**: The intent of the Burnt Store Planning Overlay (Maps 10A and 10B of the Future Land Use Map series and Policies 2.5.9 thru 2.5.27) is to provide a development guide for the Burnt Store Area that will include a mix of housing types, densities and commercial uses, integrated with open space and wildlife corridors, and connected through a well-functioning road system. The vision for the Burnt Store Planning Overlay is one where government services, recreational opportunities and commercial needs are predominantly provided within the Overlay area. Services such as library, park, fire/EMS, and school facilities will need to be provided to create a fully serviced, integrated community. The Burnt Store Area will consist of several future land use categories including Village Residential, Limited Development, and Agriculture (as per Policy 2.2.23); Resource Conservation (per Policy 2.2.25); and Public Lands and Facilities (per Policy 2.2.24), and policies which will coordinate the provision of adequate infrastructure.

**Policy 2.5.10** (*Created by Ordinance # 2005-086, Adopted on November 15, 2005*): Lands within the Village Residential and Limited Development land use categories may be eligible to receive up to a maximum of one unit of density per gross acre. However, to encourage the planning of large contiguous areas of development, only parcels or assembled lots in excess of 20 acres in area may be eligible to receive a transfer of density, which density which would allow more than one dwelling unit per gross acre.

**Policy 2.5.11** (*Created by Ordinance # 2005-086, Adopted on November 15, 2005*): To assist in maintaining the level of service along Burnt Store Road, an access management plan shall be adopted by Charlotte County prior to 2020, or construction of roadway improvements and criteria shall be established for minimum separation of access points in the County Land Development Code.

**Policy 2.5.12** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* To ensure that adequate funding sources are available for the provision of infrastructure, improvements will be funded through a variety of mechanisms that include, Community Development Districts (CDDs), Municipal Services Taxing Units (MSTUs), rebate agreements, grants and impact fees. Charlotte County will evaluate funding options, including the use of bonds and other revenues to expedite the widening of Burnt Store Road from the current timeline of 2015 to 2008.

**Policy 2.5.13** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* Prior to the development of any units above one unit per 10 acres, the property owners in conjunction with the County shall establish a Burnt Store area funding source to fund the widening of Burnt Store Road. The funding sources shall include, but not be limited to, an increased impact fee for the Burnt Store Planning Overlay, or an MSTU, MSBU, or other similar funding mechanism. Adoption of an impact fee rate that represents 100% of the rate recommended in an impact fee study will suffice as an “area-wide funding mechanism”. Should an area-wide funding mechanism not be established at the time a property owner seeks Planned Development approval for a density greater than one unit per 10 acres, then the property owner shall undertake a proportionate share analysis that will evaluate the property owner’s impacts on Burnt Store Road. The proportionate share analysis will be evaluated and approved either through the Planned Development process and/or a Developer’s Agreement. The proportionate share can be paid either in a lump sum or broken down and assessed on a per unit basis. If the proportionate share is paid in a lump sum, prior to vertical development, then the property owner shall have concurrency vesting until the build out date identified in the traffic analysis used to establish a proportionate share. Any development choosing to pay through a proportionate share prior to the establishment of an area-wide funding mechanism or an update to the currently adopted impact fees will be responsible for the difference if the proportionate share amount is less than the impact fee or other funding mechanism.

**Policy 2.5.14** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* The County will encourage construction of water transmission mains and sanitary transmission mains along Burnt Store Road, Zemel Road and the proposed East/West Connector Road to U.S. 41 (Tuckers Grade Extension). The cost of the transmission mains will be born by those who benefit from the improvements. Rebatable agreements may be used to facilitate utility extensions.

**Policy 2.5.15** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* Charlotte County will ensure the provision of acceptable levels of utilities by the expansion of the Charlotte County Utilities Service Area Policy to provide a supply and treatment capacity of 225 gallons per day and 190 gallons per day, for potable water and sanitary sewer, respectively, per equivalent residential connection and a fire flow of 750 GPM and 20 psi residual pressure.

**Policy 2.5.16** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* Development within the Burnt Store Area will be required to accept reuse water if the

utility is prepared to supply reuse water to meet all or a portion of the irrigation needs of the proposed development in accordance with the Charlotte County Utilities Standard Agreement for Reclaimed Water.

**Policy 2.5.17** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* Charlotte County shall encourage, through incentives that may include impact fee credits, the provision of water storage and/or water quality capacity in the internal water management systems of new developments fronting Burnt Store Road for storm water run-off from Burnt Store Road. The intent is to assist Charlotte County in making the necessary improvements to Burnt Store Road in an economical and efficient manner by minimizing the amount of right-of-way necessary for widening Burnt Store Road.

**Policy 2.5.18** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* Prior to 2008, Charlotte County will coordinate with the Southwest Florida Water Management District to conduct a Watershed Flood Study to quantify water quality discharges, conveyance systems capacity and adequacy, identify existing LOS, recommend improvements over and above those requirements specified in Policy 2.5.17, and specify the LOS after improvements.

**Policy 2.5.19** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* Based on input and recommendations from the Florida Fish and Wildlife Commission and the National Estuaries Program, the county shall coordinate with property owners to the following natural resource connections as shown on the Future Land Use Map:

A. Blueway –To assist in alleviating stormwater drainage concerns, Charlotte County will require, through the Planned Development process, a restored or created flow way. The proposed flow way could connect surface water management lakes and on-site wetlands. Littoral shelves should be planted along the proposed flow way to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed where the flow way is proposed, so long as the hydrological integrity of the flow way is maintained through drainage crossings.

B. Greenway – Charlotte County will work with private property owners to preserve property along the greenway to link up with the proposed “Wildlife Utilization Areas” in the Tern Bay DRI. The intent is to provide for a visual link of narrower width than the wildlife corridor, ranging from a minimum of 20 feet to 75 feet depending on existing vegetation and wildlife habitat. The greenway should include the preservation or enhancement of natural habitats. Enhancement activities can include plantings of native vegetation and removal of exotic and nuisance vegetation. Recreational open space may be incorporated in to the greenway. Development along a greenway is encouraged to provide for public use of the greenway by providing sidewalks and pedestrian connections to adjacent properties. Where greenways are required for public use, the developer shall be granted credits toward park impact fees in an amount to be determined through the Planned Development process.

C. Wildlife Corridor – Charlotte County, as an incentive to preserve land within and along wildlife corridors, will allow the transfer of density from such lands to other developable lands. Charlotte County will also coordinate with appropriate environmental agencies, and will consider using funding that may include Land Acquisition Trust Fund monies, to acquire properties along the wildlife corridor for preservation. Charlotte County will incorporate into the widening of Burnt Store Road, a wildlife crossing to be constructed of a sufficient size to accommodate small to medium size animals. The width of the corridor should be a minimum average width of 100 feet, where possible, to accommodate small to medium size mammals. The corridor should include the preservation and/or enhancement of natural habitats. Enhancement activities can include plantings of native vegetation and removal of exotic and nuisance vegetation. The corridor should provide sufficient cover to encourage use by wildlife through compliance with the following provisions:

1. A 25-foot buffer will be established between the corridor and proposed development activities. The buffer will consist of native habitats where these native habitats currently exist. In areas where native vegetation does not currently exist, native vegetation plantings will be conducted within the 25-foot buffer.
2. Directional lighting will be utilized within development areas within 50 feet of the corridor. Lighting within 50 feet of the corridor will be shielded and directed away from the corridor.
3. A conservation easement (or similar binding document) will be required at time of Final Plan Approval to ensure the protection in perpetuity of the 25-foot buffer and corridor. The conservation easement will limit human access to the corridor by prohibiting uses such as structures (gazebos, docks, etc.) within the 25-foot buffer, corridor, and adjacent canal. Passive recreational uses such as nature trails are acceptable uses within the 25-foot buffer and corridor.
4. A habitat management plan for the 25-foot buffer and corridor will be required at time of Final Plan Approval. The habitat management plan will include details regarding exotic vegetation removal, native vegetation plantings, and maintenance of the 25-foot buffer and corridor.

**Policy 2.5.20** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* To assist in the prevention of hurricane damage to new residential structures, all new residential lots must be elevated to the Category 2 Storm Surge Level (8.3 feet above mean sea level). Properties located in the Tropical Storm and Category 1 Hurricane Storm Surge zones are limited to a gross density of 1 dwelling unit per acre, and may only transfer density from a similar or lower storm surge zone.

**Policy 2.5.21** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* To encourage the preservation of common areas of open space and on-site recreational areas, residential development must be clustered with a minimum common open space requirement of 20 percent of the total site area. For the purpose of this policy, open space

shall include commonly maintained water management lakes (not more than 10% of open space requirement), recreational facilities, parks, sidewalks and trails, natural preserve areas, and other commonly owned or maintained areas of pervious surface. Residential Planned Developments shall provide neighborhood or mini parks to offset the active recreational needs of their residents.

**Policy 2.5.22** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* To encourage the preservation of Charlotte County's archeological resources, applicants for a Planned Development rezoning must submit a letter from the State Division of Historic Resources stating that there are no known resources on-site. Where there is a potential of on-site archeological resources, a survey for archeological resources must be conducted.

**Policy 2.5.23** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* In order to create an interconnected and integrated community within the Burnt Store Planning Area, all new development must provide pedestrian and bicycle facilities from within the development to exterior pedestrian and bicycle corridors. The intent is to create a pedestrian and bicycle system in the Burnt Store Planning Overlay that links each new community to destination areas such as public greenways, parks, conservation lands, schools and commercial areas, and to create a sense of greater community integration. Charlotte County shall provide bike lanes on all new public roadways and where possible retrofit existing roadways. Bike paths are required on all new arterial roads.

**Policy 2.5.24** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* Charlotte County will work with property owners within the Burnt Store Planning Overlay to acquire the approximately 90 acres of land needed for active recreational uses. Methods of acquisition may include the granting of density bonuses, TDU bonuses, impact fee credits or property acquisition.

**Policy 2.5.25** *(Created by Ordinance # 2005-086, Adopted on November 15, 2005):* By 2008, the county will evaluate the buffer code and architectural design guidelines code for commercial buildings and propose, if necessary, to establish new codes for the Burnt Store Planning Overlay area, with the intent of encouraging the development of aesthetically pleasing commercial areas, a unified character for the Burnt Store community and provide for the sense of Burnt Store as an integrated, unified neighborhood.

**Policy 2.5.26** *(Amended by Ordinance # 2005-066, Adopted on September 9, 2008):* Properties located outside the Urban Service Area retain their current Agricultural land use entitlements until such time as the urban service area is extended and infrastructure is available to meet the needs of additional development.

**Policy 2.5.27** *(Created by Ordinance # 2008-067, adopted September 9, 2008):* Properties located within the Village Residential and Limited Development land use categories may request Recreational Vehicles as a primary use. Recreational Vehicles count as a unit of density and will require a transfer of density units in accordance with

the Charlotte County TDU ordinance. Recreational Vehicle Parks must be located on properties with a minimum of 100 acres and must provide on-site recreational amenities, which may include passive recreational trails, central community clubhouse facilities, pools, tennis courts, etc. Of the required 20 percent minimum open space, at least 3 acres must include active recreational amenities. Recreational vehicles cannot gain access to or egress from a Park through local, residential roadways within any subdivision platted prior to August 2008.

**Policy 2.5.28** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Babcock Ranch Overlay District (BROD) serves as an overlay to the Future Land Use Map. The BROD covers approximately 13,521 acres, situated in the southwest portion of the Babcock Ranch and within the East County Planning Area. The general BROD boundary is identified on Map No. 10 and the specific BROD boundary is identified on Map No. 11 of the Future Land Use Map series. The BROD serves to establish a distinct area wherein specific land use standards and regulations will be implemented to guide the development of uses and structures in a manner that will enhance the social and economic resources of the County. All property within the BROD will be designated as Babcock Ranch Overlay District on the Future Land Use Map, which designation is described in Objectives 2.11 through 2.25 and Policies 2.11.1 through 2.25.1.

**Objective 2.6 (New Community Mixed Use):** Conversion of rural lands within the three urbanized areas of West, Mid, and South Counties to more intensive uses may occur through the establishment of self-supporting "New Community."

**Policy 2.6.1:** The designation of New Community Mixed Use on the Future Land Use Map shall be made by plan amendment. Plan amendments will contain a master development plan identifying land uses, densities, and intensities; population projections; an evaluation of its urban sprawl potential; commitments to avoid or mitigate the potential for urban sprawl; and demonstration of how the New Community affects land and population within the Urban Service Area.

**Policy 2.6.2:** Before land can be designated as "New Community Mixed Use" on the Future Land Use Map, it must meet the following criteria:

- a. the designation of a New Community must be consistent with the Urban Service Area strategy within this comprehensive plan or be a self-supporting development;
- b. is a project based on a master development plan approved in concept by the Board of County Commissioners prior to its designation;
- c. provides a mix of land uses which balances basic economic and social activities for a resident population (e.g. provides shopping, jobs, schools, recreation, and open space commensurate to the demand created by the resident population);
- d. sufficient size to support a resident population;
- e. provides the full range of urban services including central potable water and sanitary sewerage;

- f. land uses within a New Community differ significantly from those in the surrounding area and include open space around the perimeter forming a greenbelt providing a clear distinction from surrounding land uses;
- g. demonstrates that a sufficient population will exist in the proposed location, thereby requiring housing and employment opportunities in the vicinity; and
- h. includes a projection of school age children and necessary schools to serve the development, and demonstrates coordination with the School Board for the provision of needed schools. The development proposal shall provide an opportunity for the School Board to consider establishment of needed schools within a central portion of the development.

**Policy 2.6.3:** Commercial uses within New Communities will not exceed the Community Commercial Center level and shall serve the internal shopping needs by being located in a central location of the development.

**Policy 2.6.4:** New Communities will require the use of central potable water and sanitary sewerage, and must maximize the use of existing urban infrastructure.

**Policy 2.6.5:** Master development plans for New Communities shall incorporate open space and recreational opportunities for residents.

**Policy 2.6.6:** New Community proposals must include transfers of density units from targeted platted lands or environmentally sensitive areas as a component of a master development plan. The residential development potential of a New Community shall be achieved through a transfer of density units. Lands from which a transfer of density units occur shall be encumbered through a recorded covenant or transfer of deed to Charlotte County, state government, or federal government. Transferred densities shall be a one-for-one transfer.

**Policy 2.6.7:** Residential uses and intensities within New Communities will be based upon a minimum of Low Density Residential.

**Policy 2.6.8:** Approved New Communities shall be designated as New Community Mixed Use on the Future Land Use Map.

**Policy 2.6.9:** New Communities shall contain a minimum of 1,000 gross acres with the following minimum and maximum land use percentages:

Land Use	Minimum Development Percentage	Maximum Development Percentage
Residential	50%	80%
Commercial/industrial	10%	25%
Recreation	5%	no maximum
Open space	5%	no maximum

**Policy 2.6.10:** New Communities shall not be permitted within the Coastal High Hazard Area (Tropical Storm and Category 1 Hurricane Storm Surge zones).

**Policy 2.6.11:** New Communities shall not be located in environmentally sensitive areas designated as Resource Conservation or Preservation on the Future Land Use Map series.

**Policy 2.6.12:** Future Land Use Map amendments relating to New Communities shall be consistent with Chapter 187, Florida Statutes, Chapter 163, Florida Statutes, and Chapter 9J-5, Florida Administrative Code, with particular attention to Rule 9J-5.006(5).

**Policy 2.6.13:** Transfer of density unit sending zones for New Communities shall not include Infill area locations.

**Policy 2.6.14:** New Community master development plans shall include a traffic circulation map and access management controls in order to protect the public safety.

**Objective 2.7 (Rural Community Mixed Use):** Conversion of rural lands within the East County planning area to more intensive uses may occur through the establishment of self-supporting “Rural Communities” which will provide residential and employment opportunities within the Rural Service Area.

**Policy 2.7.1:** Rural Communities will be developed according to a master development plan and will comprise a mixture of uses appropriate for a rural environment.

**Policy 2.7.2:** The designation of Rural Community Mixed Use on the Future Land Use Map shall be made by plan amendment. Plan amendments will contain a master development plan approved by the Board of County Commissioners identifying land uses, densities, and intensities; population projections; an evaluation of its urban sprawl potential; commitments to avoid or mitigate the potential for urban sprawl; and demonstration of how the Rural Community affects land and population within the Urban Service Area.

**Policy 2.7.3:** Approved Rural Communities shall be designated as a Rural Community Mixed Use District or Development of Regional Impact on the Future Land Use Map.

**Policy 2.7.4:** Residential development within Rural Communities will be limited to Rural Estate Residential uses as defined in this element with clustering and open space provisions provided.

**Policy 2.7.5:** Commercial uses within Rural Communities are limited to Rural Commercial Centers as defined in this element. Rural Commercial Centers will serve the population of the rural residential uses and satisfy the internal shopping needs by being located in a central location of the development.

**Policy 2.7.6:** The master development plan for Rural Communities will incorporate land for open spaces around the perimeter forming a greenbelt providing a clear distinction from surrounding land uses. Open space may be dedicated to public use or designated for common use, such as hiking and bridle trails. If designated for common use, the master plan will identify a management strategy and will set aside funds to support maintenance.

**Policy 2.7.7:** The clustering of uses within Rural Communities is allowed as part of a master plan. Clustered development requires utilization of infrastructure such as central wastewater facilities.

**Policy 2.7.8:** Rural Community master development plans shall include a traffic circulation map and access management controls in order to protect the public safety.

**Policy 2.7.9:** Rural Community proposals will include transfers of density units as a component of a master development plan. The residential development potential of a Rural Community shall be achieved through transfer of density units. Lands from which a transfer of density units occur shall be encumbered through a recorded covenant. Transferred densities shall be a one-for-one transfer.

**Policy 2.7.10:** Rural Communities shall contain a minimum of 500 gross acres with the following minimum and maximum land use percentages:

Land Use	Minimum Development Percentage	Maximum Development Percentage
Residential	50%	80%
Commercial/industrial	10%	25%
Recreation	5%	no maximum
Open space	5%	no maximum

**Policy 2.7.11:** Rural Communities shall not be permitted within the Coastal High Hazard Area (Tropical Storm and Category 1 Hurricane Storm Surge zones).

**Policy 2.7.12:** Rural Communities shall not be located in environmentally sensitive areas designated as Resource Conservation, Preservation, or the Special Surface Water Protection Overlay District on the Future Land Use Map series or in an area of prime aquifer recharge.

**Policy 2.7.13:** Future Land Use Map amendments relating to Rural Communities shall be consistent with Chapter 187, Florida Statutes, Chapter 163, Florida Statutes, and Rule 9J-5.006(5).

**Policy 2.7.14:** Transfer of density unit sending zones for Rural Communities shall not include Infill area locations.

**Policy 2.7.15:** A Rural Community master plan shall include a projection of school age children and necessary schools to serve the development, and demonstrate coordination

with the School Board for the provision of needed schools. The development proposal shall provide an opportunity for the School board to consider establishment of needed schools within a central portion of the development.

**Objective 2.8:** Charlotte County, working with the West Coast Inland Navigation District, will determine if the county should have dredge disposal responsibilities.

**Policy 2.8.1:** Charlotte County will work with the West Coast Inland Navigation District to determine if the county should have dredge disposal responsibilities and to determine past dredge spoil sites.

**Policy 2.8.2:** If Charlotte County is determined to have dredge disposal responsibilities, the county will work with the West Coast Inland Navigation District to identify appropriate locations for future sites, and to develop a management plan for disposal activities.

**Objective 2.9 (Community Planning):** Charlotte County's communities and subdivisions are encouraged to seek a redesign of their communities with the goal of creating more useful and purposeful design incorporating concerns of environmental issues, transportation, housing density, schools, parks, recreation, and commerce. Such community plans shall have main premises of reducing urban sprawl and developing a self-sustaining community.

**Policy 2.9.1:** Charlotte County shall encourage the development of community plans for subdivisions and communities. Communities seeking to increase their levels of infrastructure and service are encouraged to use the community planning process as a means for evaluating and determining appropriate service levels and funding sources.

**Objective 2.10** (*Created by Ordinance 2005-009, adopted January 18, 2005*): To create a mixed-use redevelopment land use classification for the Murdock Village Community Redevelopment Area (MVCRA).

**Policy 2.10.1** (*amended by Ordinance 2008-002, adopted January 8, 2008*): The following land use classification shall be used to designate property within the Murdock Village Community Redevelopment Area:

**Murdock Village Mixed-Use Redevelopment District (MVMURD)**

The Murdock Village Mixed-Use Redevelopment District designation will encourage a high-tech, energy efficient and environmentally friendly mix of residential, retail commercial, medical, office, office showroom, public and educational facilities, recreational and institutional redevelopment. The mixed-use development will focus on creating a vibrant and attractive gathering place for the entire community in the form of a town center; adequate provisions for distinct and interconnected multi-generational neighborhoods; "five minute walk" (the reference to the five minute walk is not intended to be taken literally but to promote easy walkable access) to parks, facilities and services;

a pedestrian friendly street network; and, interior greenway and blueway open space linkages that integrate the Redevelopment District with existing County resources.

**Policy 2.10.2** (*Amended by Ordinance 2008-002, adopted January 8, 2008*): The Murdock Village Mixed-Use Redevelopment District land use classification shall allow a combination of residential, commercial, office, research and development, office showroom, hotels, civic, healthcare, public/institutional, educational and parks and open space land uses in order to encourage long term sustainable development. Mobile Homes and industrial uses, except as otherwise provided herein, are prohibited within the MVMURD.

The arrangement and design of streets within the MVMURD shall promote a pedestrian and bicycle friendly environment with an emphasis on comfortable and convenient access to neighborhoods, the Town Center, neighborhood shopping, parks, schools and civic uses. Open space shall constitute no less than 20% of the gross acreage of the MVMURD. As permitted throughout the MVMURD, the term “open space” shall include, but not be limited to: preserve areas, parks (including the existing regional park), both passive and active, pedestrian and cycling systems; and property designed buffers, lakes, and water bodies.

As a mixed use district, the MVMURD shall allocate a minimum of 50% of the overall net developable land acreage within the district for residential uses and 35% for non-residential uses which calculation shall include residential when included in buildings that contain non-residential uses on at least the ground floor. Net developable land excludes public rights-of-ways, open space and environmentally sensitive areas. Civic, education, and public/institutional land uses and essential public services shall be permitted throughout the MVMURD. Site development standards, locational criteria and design guidelines for all uses shall be developed and adopted by the County as Land Development Regulations for the MVMURD.

The following describes the types of uses which are permitted uses in the Murdock Village Mixed-Use Redevelopment District.

- Neighborhood Residential
  - The Murdock Village Mixed-Use Redevelopment District shall include distinct interconnected, multi-generational, residential neighborhoods.
  - Residential neighborhoods shall feature easy access to a network of open space which may include bicycle/pedestrian facilities, greenways and blueways.
  - Assisted Living Facilities shall be permitted within areas designated as Neighborhood Residential.
  - Non-residential land uses located within areas designated as Neighborhood Residential shall be designed and developed to protect the integrity of the surrounding residential land uses.

- Internal Commercial – Internal Commercial sites shall be a maximum of 4 acres, although the total acreage of all Internal Commercial shall not exceed 16 acres, and shall only be built within the Neighborhood Residential Land Use District to provide for local daily convenience goods, retail, professional, office showrooms, healthcare, personal and business services.
  - Both single-use and multi-use development sites can be located within Internal Commercial areas.
  - Medium to high density residential will be permitted in these areas provided they are located on the upper floors of a mixed use building.
  - Multi-use development on the same parcel shall be designed and developed to protect the integrity of the surrounding land uses.
- Town Center
  - A Town Center shall be incorporated into the Murdock Village Mixed-Use Redevelopment District. The Town Center shall be designed as the primary activity center for the community using the mixed-use and pedestrian friendly principles of traditional urban design.
  - The Town Center shall be at a minimum of 80 acres, and shall include a mix of uses including, at a minimum, commercial, office, public, civic and residential uses (single family and/or multi-family) and may also include hotels and assisted living facilities.
  - Multi-use development on the same parcel shall be designed and developed to protect the integrity of the surrounding land uses.
- General Commercial
 

General Commercial is intended for activities predominately connected with the sale, rental and distribution of products or performance of services. Healthcare, hotels, assisted living facilities, and office can also be located within these areas.

  - Medium to high density residential shall be permitted in these areas.
  - Multi-use development on the same parcel shall be compatible with surrounding land uses.
- Community Commercial
 

Community Commercial is intended to provide for daily and lifestyle needs and services for the residents of Murdock Village, as well as the residents of the general community. Uses may include general retail, offices, professional services, residential, healthcare, assisted living facilities, restaurants, and business services. Community Commercial sites will range in size from 10 to 25 acres, but the total acreage of Community Commercial shall not exceed 35 acres.
- Office Showroom

Office Showroom is intended for activities that diversify the economic base of the community and are limited to light fabrication, service, printing, storage and packaging uses which do not have nuisance impacts on adjacent uses from dust, odor, noise, vibration, or glare to adjacent uses. Office Showroom shall be designed and developed to protect the integrity of any surrounding residential land uses.

- Light Fabrication is limited to assembly, bio-tech research, and limited warehouse/flex space.
- **University/College Campus**  
 University/College Campus is intended to provide educational and residential opportunities in an urban, rather than suburban campus. Uses allowed include buildings for academic, administrative, dormitories and support services; parking garages and surface parking lots; and other uses customarily part of a university/college campus.
  - Such campus areas shall be integrated with adjacent uses to facilitate pedestrian access; minimize parking requirements; and to protect the integrity of the surrounding land uses.

Total development within the MVMURD shall be limited to 3,023,882 square feet of commercial uses, 538 multi-family residential units and 2,744 single family residential units, provided that these uses and development totals may be modified in accordance with the Equivalency Matrix, provided in Appendix #1. The following table provides additional development parameters for the primary use areas located within the MVMURD.

<b>Land Use Area</b>	<b>Type</b>	<b>Acreage</b>	<b>Maximum Density DU/Acre<sup>1</sup></b>	<b>Maximum Intensity (FAR)<sup>2</sup></b>
Neighborhood Residential	Single Family Multi-family	300 to 475 acres	3-6 6-15	
Internal Commercial	Non-residential	4 to 16 acres		2.0
Town Center	Residential Non-residential	80 to 250 acres	Up to 24	3.0
Community Commercial	Residential Non-residential	10 to 35 acres	6-15	3.0
General Commercial	Residential Non-residential	40 to 69 acres	Up to 15	3.0
Office Showroom	Non-residential	0 to 40 acres	N/A	2.0
University/College Campus	Non-residential	0 to 55 acres	N/A	4.0 <sup>3</sup>
Primary and Secondary Education Facilities	Non-residential	0 to 35 acres	N/A	4.0

<sup>1</sup> Density calculations apply to residential land uses.

Residential is not required in Internal, community or General Commercial land use categories. To promote a mixed use district, density and floor area ratio will be calculated independently. (For example, one acre site with an allowable density of 15 units per acre and non-residential floor area ratio of 2.0 would be allowed 15 units and 87,120 square feet of non-residential uses.)

<sup>2</sup> Floor Area Ratio represents the maximum building areas for a land use, stated as a ratio of square feet of floor area of a building to the square feet of land area of the property for which the FAR calculation is being determined.

<sup>3</sup>Dormitory units associated with a university/college campus are calculated based on floor area ratio. A university which is governed by Sec. 1014.30 F.S., is subject to the requirement to adopt a Campus Master Plan and enter into an interlocal agreement with the local government to address its impacts and is therefore, not subject to the maximum development amounts permitted within the MCMURD, i.e. development amounts which are established under an approved Campus Master Plan and interlocal agreement shall not be considered as being derived from development totals allowed within the MVMURD, notwithstanding that it may be located within the boundaries of the MVMURD.

**Policy 2.10.3** (*Amended by Ordinance 2008-002, adopted January 8, 2008*): The transportation component for the Murdock Village Mixed-Use Redevelopment District shall focus both on vehicular and pedestrian traffic. By providing a proper mix of land uses and transportation options, a substantial portion of the trips for residents and employees of the District should be satisfied within the development itself. A comprehensive bicycle and pedestrian facilities plan will be prepared by January 1, 2009 to address access, connectivity and mobility. This plan will be incorporated into the Charlotte County MPO Bicycle Pedestrian Plan.

**Policy 2.10.4** (*Amended by Ordinance 2008-002, adopted January 8, 2008*): The close proximity of the District to major arterials, Tamiami Trail (US 41) and El Jobean Road (SR 776) will enable the creation of a new network of connecting roads with gateways into the Murdock Village Mixed-Use Redevelopment District. In order to facilitate emergency evacuation, north-south gateways and an east-west connector will be incorporated into the MVMURD transportation design.

**Policy 2.10.5** (*Amended by Ordinance 2008-002, adopted January 8, 2008*): Murdock Village Mixed-Use Redevelopment District may include a maximum of 35 acres available for development as a public primary or secondary school or other educational facility. Schools of higher education, including universities/colleges and vocational schools are not included in the acreage limitation set forth above.

**Policy 2.10.6:** Future determinations shall be made regarding the need to locate public facilities such as sheriff substations, fire stations, government offices and other public services within the Murdock Village Mixed-Use Redevelopment District.

**Objective 2.11** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Babcock Ranch Overlay District (BROD), as established in Policy 2.5.28, will create a well-planned new community within the East County planning area using the following Smart Growth principles and best management practices:

- Mix of Land Uses
- Create a Range of Housing Opportunities and Choices

- Create Walkable Neighborhoods
- Foster Distinctive, Attractive Communities with a Strong Sense of Place
- Provide a Variety of Transportation Choices
- Make Development Decisions Predictable, Fair, and Cost Effective
- Encourage Community and Stakeholder Collaboration in Development Decisions

**Policy 2.11.1** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The BROD requires the creation of a mixed-use community with the establishment of areas and sub-areas, including residential, commercial, office, light industrial, recreational and public and quasi-public facilities. Specific development parameters for the 17,870 dwelling units and 6,000,000 sf of non-residential space anticipated for the BROD shall be limited as set forth below;

Specific Land Use Mix (including Primary Greenways, Town Center and Villages)  
 Development within the BROD is limited to 17,870 dwelling units and 6,000,000 square feet of non-residential uses, not including schools. This total square footage for non-residential uses is further defined as including 4,840,000 square feet commercial/office/retail (including medical), 650,000 square feet of light industrial, 150,000 square feet of government/civic uses, 72 golf course holes, and 600 hotel rooms (360,000 square feet). The allocations for these uses throughout the BROD are set forth below, subject to the above totals:

<b>Total BROD</b>	<b>Minimum</b>	<b>Maximum</b>
Primary Greenways	4,700 acres	none
Parks	255 acres	325 acres
<b>Town Center</b>		
Size	1,000 acres	2,000 acres
Residential dwellings	6,000 du	8,000 du
Commercial/Retail	3,000,000 sf	3,500,000 sf
Office/Light Industrial	1,500,000 sf	2,200,000 sf
Public/Civic	50,000 sf	100,000 sf
<b>Villages (individually)</b>		
Size	400 acres	1,200 acres
Residential dwellings	1,200 du	4,500 du
Commercial/Retail/Office	40,000 sf	200,000 sf
Public/Civic	10,000 sf	50,000 sf
<b>Hamlets (individually)</b>		
Size	300 acres	750 acres
Residential dwellings	150 du	1,500 du
Commercial/Retail/Office	5,000 sf	40,000 sf
Public/Civic	2,500 sf	10,000 sf

Note – Public/Civic space does not include schools, which square footage will be additional.

Note – Total for all of BROD, including Town Center, all Villages and all Hamlets, cannot exceed 17,870 du's and 6,000,000 sf, not including schools, which square footage will be additional.

Land Use Classification	Development Type	Percent Land Use Allocation	Density DU/Acre	Intensity (FAR)
Town Center	Residential	10-20% (1)		
	Non-residential (commercial, retail, light industrial)	2-10% (1)	6-24 du/ac (1)	Up to 2.0
Village – Residential Neighborhoods	Single/Multi-family	45%-65% (1)(2)	3-6 du/ac 6-16 du/ac	Up to 1.0
Village - Neighborhood Commercial (Mixed-Use)	Residential	Up to 5 % (1)		
	Non-residential/Commercial	Up to 5% (1) commercial mix	3-16 du/ac	Up to 1.0
Public/ Quasi-Public facilities	Institutional uses, schools (4), government facilities, etc.	Up to 5% (1)	N/A	Up to 2.0
Open space	Refer to Policy 2.14.3	Minimum 35% (3)	N/A	N/A

- Note: (1) Based on gross developable lands acreage (not including Primary Greenways)  
(2) Percent land use for combined total Village – Residential Neighborhoods Allocation  
(3) Based on gross lands acreage of BROD  
(4) Schools acreage is included in above chart, however school building square footage is not included in 6,000,000 sf maximum

**Policy 2.11.2** (Created by Ordinance #2006-030, Adopted on April 4, 2006): The BROD will consist of one Town Center, multiple Villages and multiple Hamlets. The Town Center is oriented to serve the cultural, shopping, employment and civic needs of residents of the Town Center, Villages and Hamlets within the BROD. The Town Center will also support the surrounding area outside of the BROD. The commercial uses located within the Town Center shall be accessible to the adjacent Village developments and must be designed to provide for a safe pedestrian environment and pedestrian access. The Town Center shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements. The public facilities are intended to allow a range of public and quasi-public uses including but not limited to educational and cultural facilities, utilities, fire/EMS, police substations, churches and others.

The following design standards shall govern the Town Center:

- The Town Center shall be laid out in a grid pattern to allow for dispersion of traffic and to promote future transit and walkability;

- Street furniture, hardscape and landscaping of streets will encourage pedestrian activity;
- Overhangs, porches, awnings, arcades, and colonnades shall be incorporated to provide architectural detail and create a sense of place;
- Wide sidewalks shall be required for main shopping streets and sidewalk cafes, food and art vendors shall be encouraged where appropriate;
- Main shopping streets will mainly be served by on street parking. On site parking for uses on main shopping streets will not be allowed unless it is in the rear or side of a building. Such parking areas shall be accessed by local streets and/or alleys, not on site driveways;
- Building entrances will be required for pedestrian access from adjacent sidewalks;
- Upper level residential units or office space shall be encouraged with ground level retail, office, or other similar business activity to promote horizontal diversity;
- Unified Town Center signage program. An overall signage program is required and shall be provided with the Planned Development;
- The lighting plan shall include mechanisms to reduce light pollution, through downward shielding, low intensity lighting, and other techniques to the greatest extent possible;
- Interconnectivity of pedestrian and vehicular routes throughout the Town Center Village to encourage multi-modal circulation;
- Flexible setbacks and performance standards shall be developed for specific uses and locations; and
- Guidelines and performance standards shall encourage the use of shared facilities.

**Policy 2.11.3** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Villages shall be comprised of Residential Neighborhoods and one or two Neighborhood Commercial Centers. Villages shall be surrounded by greenways, golf courses, other natural and manmade features that provide for transition areas and shall be designed with identifiable character. Golf courses may be included within a Village. Villages shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements. The aggregate total of the uses within all Villages, including Residential Neighborhoods and Neighborhood Commercial Centers shall not exceed the total allowed within the BROD (17,870 dwelling units and 6,000,000 sf non-residential) less the amounts of each included in the Town Center and Hamlets.

**Policy 2.11.4** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Villages - Residential Neighborhoods provide for a wide-range of energy-efficient housing types, materials and practices, consisting of single-family and multi-family dwelling units that will cater to a wide range of economic levels and age groups, including permanent, as well as seasonal residents. Residential neighborhoods shall be organized around a village park or civic space and shall reflect compact building design typical of smart growth communities. Elementary and middle schools, community parks and neighborhood parks shall be sized and located to define neighborhoods or a cluster of neighborhoods. Traditional neighborhood design and conventional housing types are envisioned to appeal to a broad range of buyers. Neighborhoods shall be integrated and connected to each

other, with limited use of gated communities (no more than 10%). Integration and connection can be achieved by pedestrian, bicycle, and/or alternative vehicle access ways located within streets, greenways and open space. Specific design standards shall be created for the BROD and included in the BROD Land Development Regulations to promote the smart growth community envisioned.

**Policy 2.11.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Neighborhood Commercial Centers form an integral part of the each Village and are designed to provide for daily and basic needs of the surrounding neighborhoods within the Village. The Neighborhood Commercial Center must be centrally located to provide for convenient pedestrian access to and from adjacent neighborhoods and those dwelling units located within the Village. The Neighborhood Commercial Center will provide for a mix of land uses including but not limited to retail, service, office, small-lot single-family detached residential homes, accessory apartments, guesthouses, home occupations, home offices, multi-family uses, schools, civic/governmental uses, neighborhood or community parks and other similar services designed to meet the needs of its respective Village.

**Policy 2.11.6** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Each Neighborhood Commercial Center is required to have Public/Quasi public facilities as a central focal point. The focal point may be a combination of central public parks, schools, government buildings or quasi-public facilities such as churches or community centers. Sheriff sub-stations, fire stations, government offices and other public services are encouraged within the Town Center and Villages-Neighborhood Commercial Centers. To take advantage of shared infrastructure such as parking, these types of facilities shall be located together to the extent practicable.

**Policy 2.11.7** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Hamlets shall be comprised of Residential Neighborhoods and may include, but are not required to include, a Neighborhood Commercial Center sized to serve that particular Hamlet. Hamlets shall be surrounded by greenways, golf courses, other natural and manmade features that provide for transition areas and shall be designed with identifiable character. Golf courses may be included within a Hamlet. Hamlets shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements. The aggregate total of the uses within all Hamlets, including Residential Neighborhoods and any optional Neighborhood Commercial Centers shall not exceed the total allowed within the BROD (17,870 dwelling units and 6,000,000 sf non-residential) less the amounts of each included in the Town Center and all Villages.

**Policy 2.11.8** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Hamlets - Residential Neighborhoods provide for a range of energy-efficient housing types, materials and practices, consisting of single-family and limited multi-family dwelling units that will cater to a range of economic levels and age groups, including permanent, as well as seasonal residents. Residential neighborhoods shall be organized around a park or civic space and shall reflect compact building design typical of smart growth

communities. Traditional neighborhood design and conventional housing types are envisioned to appeal to a broad range of buyers. Neighborhoods shall be integrated and connected to each other, with limited use of gated communities (no more than 10%). Integration and connection can be achieved by pedestrian, bicycle, and/or alternative vehicle access ways located within streets, greenways and open space. Specific design standards shall be created for the BROD and included in the BROD Land Development Regulations to promote the smart growth community envisioned.

**Policy 2.11.9** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The BROD Master Plan is adopted as BROD Map No. 11a. The BROD Master Plan is subject to adjustment through the Development of Regional Impact (DRI), state and federal permitting processes, to the extent such adjustment meets these BROD Objectives and Policies and incorporates all features shown on the BROD Master Plan. The BROD Master Plan includes the general location of the Town Center, Villages, Hamlets, utilities site, schools, primary flowways, primary greenways, community and regional parks, transportation and utility corridors. The Town Center, Villages and Hamlets shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements.

**Policy 2.11.10** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Schematics of the Conceptual Town Center, a Conceptual Village, a Conceptual Hamlet and the Conceptual Master Plan for the whole BROD are included as BROD Maps No. 11a-1, 11a-2, 11a-3 and 11a-4 for illustrative purposes, showing how these policies and functional mix of uses could be implemented in accordance with the BROD Master Plan and other BROD maps. The specific number of dwelling units and non-residential square footage shown within the Town Center, each Village, and each Hamlet as shown on the Conceptual Master Plan are illustrative only, and are subject to change through the DRI, state and federal permitting processes, so long as they remain within the minimums and maximums set forth in these Objectives and Policies.

**Policy 2.11.11** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The BROD Master Plan and BROD Map series were created through a collaborative community visioning and design process. The goal of the community visioning and design process was to harness the thoughts and interests of stakeholders and interested parties, to create an integrated community that fosters civic life, walkability, human interaction, economic health, sustainability, and preservation of the natural environment. The BROD Master Plan was prepared based on the best available data and information available at the time of the visioning process, but it must be understood that more detailed data and information is being collected in support of the detailed design, DRI and permitting processes. The BROD Master Plan will guide the preparation of the DRI Master Plan, but shall not be construed as the DRI Master Plan. Upon its adoption, as a result of the DRI process, the DRI Master Plan will serve as the official Master Plan for the BROD development. A collaborative community visioning and design process shall be utilized as the BROD Master Plan is implemented.

**Objective 2.12** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Town Center and Village requirement will provide an alternative to scattered, low-density single-use residential development, with sprawl limiting characteristics that will preserve open space, natural beauty and critical environmental areas that contribute positively to the quality of life for the residents within the BROD as well as all of Charlotte County.

**Policy 2.12.1** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Open space shall consist of environmentally sensitive lands and/or natural resource areas within the BROD and shall serve as a framework for guiding future development. The natural resource and other open space areas shape urban form and demarcate new development boundaries for the BROD by surrounding and defining Villages and the Town Center

**Policy 2.12.2** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): In addition to protecting critical ecological areas and linkages that will serve as a managed network of environmentally sensitive areas, the natural resource areas shall also contribute to greenways, trails and parks, and serve to define broad planning areas and construction of infrastructure and development.

**Policy 2.12.3** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Charlotte County will require a master drainage plan indicating existing, to be restored or created primary flowways within the BROD. The primary flowways will connect surface water management lakes and on-site wetlands, but only if wetland seasonal hydroperiods will remain consistent with pre-development conditions. Littoral shelves should be planted along the primary flowways to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed across and through primary flowways, as long as the hydrological integrity of the flowways are maintained through the crossings. The master drainage plan shall be designed to meet Class III water quality standards and maintain off-site flows at pre-development levels.

**Policy 2.12.4** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Primary Drainage Plan for the BROD is adopted as BROD Map No. 11b. The Primary Drainage Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Drainage Plan.

**Policy 2.12.5** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): In coordination with the Florida Fish and Wildlife Commission and Charlotte County a wildlife corridor shall be established between Telegraph Swamp and the Curry Lake area to promote the movement of wildlife, and to be protected in perpetuity by an appropriate conservation easement. The design and final width of the wildlife corridor shall be established in coordination with Charlotte County and the Florida Fish and Wildlife Commission. Management of the wildlife corridor should include the preservation and/or enhancement of natural habitats through the planting of native vegetation and removal of exotic and nuisance vegetation.

**Objective 2.13** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Development within the BROD shall be reviewed as a Development of Regional Impact (DRI) and approved by a Development Order as provided in Chapter 380, Fla. Stat. (2005).

**Policy 2.13.1** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Development within the BROD is exempt from any Transfer of Development Rights policies in the Comprehensive Plan and from the Transfer of Development Units requirements of the Land Development Code.

**Policy 2.13.2** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* A pre-application conference on the DRI Application for Development Approval pursuant to Section 380.06(7), Fla. Stat. (2005) shall be convened within two (2) months or less of the final approval of the BROD, unless an extension is mutually agreed upon by Charlotte County and the developer.

**Policy 2.13.3** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The necessary requirements to create the DRI shall be filed no later than June 30, 2006, or upon a mutually agreed to extension. If the DRI is later abandoned, or if MSKP, III, Inc. does not close on its contract with the current owners of the lands included within the BROD, then Charlotte County shall process an application to amend the Comprehensive Plan, pursuant to Section 163.3184, F.S., and the Charlotte County Code, to reinstate the Future Land Use designations and zoning districts that were in effect immediately prior to the adoption of the BROD. This policy shall run with the land, regardless of ownership.

**Policy 2.13.4** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* All properties within the BROD shall be aggregated for the purposes of DRI review. The DRI Application for Development Approval shall provide an analysis meeting the requirements of Section 380.06 F.S and Chapter 9J-2 F.A.C.

**Policy 2.13.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The BROD Summary Phasing Plan for development within the BROD is adopted as BROD Figure 1\*. The BROD Summary Phasing Plan sets forth the minimum non-residential square footage required for the number of dwelling units at the time of issuance of certificate of occupancy of the last dwelling unit of any particular threshold. The subsequent DRI Development Order shall be in accordance with the BROD Summary Phasing Plan and shall establish the detailed phasing of development within the BROD. The DRI Development Order shall determine the amount of residential and non-residential development allocated within the Town Center, each Village, and each Hamlet, respectively, in accordance with these BROD Objectives and Policies, ensure that development is orderly, maximize efficiency of infrastructure, and provide for specific infrastructure improvements needed to meet prescribed levels of service.

\*located at end of GOPs section

**Policy 2.13.6** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The BROD Summary Phasing Plan corresponds to the BROD Capital Improvements Plan as

described in Policy 2.22.1 and adopted as BROD Figure 2. The intent is that non-residential uses will be in place to serve the occupancy of dwelling units. The BROD Summary Phasing Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets these BROD Objectives and Policies and incorporates all items as shown in the BROD Summary Phasing Plan.

**Objective 2.14** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Pedestrian friendly features that support walkable communities will be incorporated within the BROD.

**Policy 2.14.1** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The BROD will include appropriate mixed-use and smart growth urban design principles in generating vibrant walkable communities. Recognizing that sidewalks alone will not induce walking, other pedestrian friendly features such as, but not limited to: the appropriate mix of densities and uses, compact street intersections, greenway trail system, street furniture, landscaping of streets with native canopy trees and neighborhoods that are properly scaled for people, are required within the BROD. Crime Prevention Through Environmental Design (CPTED) strategies shall be included in the BROD LDRs.

**Policy 2.14.2** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Development within the BROD requires at a minimum the following design features:

- Clustered and compact smart growth neighborhoods, discouraging urban sprawl and building a sense of place and community;
- A functional balance between residential and non-residential land uses by encouraging a mix of land uses within the Town Center and Villages;
- The provision of civic meeting spaces and uses within the Town Center and Villages to promote public interaction and the creation of a sense of identity;
- Mixed use, providing greater variety of uses and densities that bring destinations and origins closer together with infrastructure that provides more incentives and propensity for people to walk;
- Pedestrian orientation, with basic amenities and facilities located within a ¼ mile radius (or 5 minute walk) from center to the edge of Neighborhood Commercial Centers, thus reducing reliance on the automobile;
- Environmentally sensitive planned development standards shall be created to achieve the conservation of important environmental resources. Area wide surface water management will be enhanced as a result of this effort;
- Attention to the creation of micro-climatic conditions, which will encourage walkability, shall include but not be limited to, small functional public open spaces, shaded paths, tree-lined streets, shaded structures, rest-areas and other forms of architectural elements to encourage pedestrian movements, allow for rest areas and add visual interest;
- Sidewalks shall be required on all streets, which may be separated from the roadway by a landscaped or natural area;

- A master landscape plan which details location and type of landscaping within the road and pedestrian network is required;
- Decorative street lights shall be used throughout the BROD, using mechanisms to reduce light pollution, through downward shielding, low intensity lighting, and other techniques to the greatest extent possible;
- Recognition of the importance of the various classifications of parks that make up the park system and their inclusion at appropriate quantity, scale and balanced geographic distribution;
- The road network within Villages should emphasize the use of two-lane neighborhood streets in a connected road pattern, rather than four-lane or wider arterials and streets. Residential Neighborhood streets shall use traffic calming design standards to slow traffic to a reasonable speed that does not negatively affect neighborhood safety and viability. Such traffic calming design may include, but is not limited to, the installation of traffic circles, narrow travel lanes, the installation of sidewalks between trees and the streets, and the allowance of on-street parking;
- Collector roads linking villages shall be designed as parkways which feature landscaping in the medians and on the sides of the roads;
- All project utilities shall be underground;
- Residential and non-residential development shall be linked by streets, sidewalks, and in some cases by separate systems of pedestrian, bike, and/or golf cart paths;
- Alleys may be utilized throughout the BROD, which may serve a variety of functions;
- On-street parking shall be allowed on local streets and within the Town Center, Villages and Village Centers. On-street parking shall be designed to promote traffic calming, pedestrian use, and shopping convenience, including but not limited parallel and angle parking; and
- Schools shall be accessed by local streets, pedestrian and bicycle facilities, and shall be provided in Villages and in the Town Center, provided that such local streets provide adequate access as is needed by the School District.

**Policy 2.14.3** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): To ensure that the preceding design features are incorporated, a master internal circulation plan must be submitted for approval as part of the DRI review. The master circulation plan shall depict the traffic circulation system including the pedestrian, bicycle, and other non-automobile transportation networks in addition to automobile networks. Typical cross-sections for all transportation networks shall be submitted as part of the master internal circulation plan.

**Objective 2.15** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Foster distinctive, attractive communities with a strong sense of place within the BROD.

**Policy 2.15.1** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Town Center shall serve as a Gateway into the BROD that provides a physical introduction to a unique and distinctive quality of life. The Town Center will provide a positive impact and serve as a benchmark for compact community planning. The Town Center will be a mixed-use area to complement Village neighborhoods. The Town Center will develop as

a retail node with complementing office and residential uses arranged in vertically mixed-use structures. The Town Center will also serve as the entertainment and cultural center for the Village and should include restaurants, shopping and other entertainment venues.

**Policy 2.15.2** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: Preserve scenic views and vistas within the BROD that provide visual cues (such as open space and other prominent natural features) to introduce or signal the transition from one zone to the other. This includes the appropriate location, concealment or control of the location of utilities and necessary infrastructure elements within the BROD.

**Policy 2.15.3** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: The BROD shall include a minimum of thirty-five (35%) percent of the gross acreage of the BROD as Open Space within Charlotte County. “Open Space” shall consist of the Primary Greenway Plan as depicted on BROD Map 11f, non-residential vegetated green space, lakes and ponds not engineered for stormwater, lakes and ponds engineered for stormwater with general public access, hiking trails, greenways, bike paths, upland and wetland areas. Active uses such as ball fields, golf courses and other related recreation uses can be counted toward Open Space but only 50% of the area can be utilized for calculation purposes. Open Space will serve the additional goal of surrounding and defining Villages, Hamlets and the Town Center. The edges of the Primary Greenways shall be designed to increase the functional value of the Primary Greenways areas and to provide a transition from those areas to human uses.

**Policy 2.15.4** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: Create public spaces, whether built or natural, active or passive, providing a venue for public interaction and vibrant exchange among neighbors; these spaces should be centrally located to neighborhoods and the Town Center. These public spaces will contribute to the feeling of “community” and will foster a strong sense of place as well as enhance the aesthetic quality of the surrounding area.

**Policy 2.15.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: A community and stakeholder consensus-building effort will determine the distinctive community characteristics of the built environment for the BROD. The visioning efforts will be implemented parallel with the review and processing of the forthcoming DRI, and in accordance with Policy 2.11.9 above.

**Objective 2.16** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: Transportation within the BROD will be planned and coordinated in creating a safe and secure pedestrian environment as well as a balanced mix of transportation options.

**Policy 2.16.1** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: A primary roadway and pathway plan for the BROD has been developed through the charette process. The primary roadways and pathways will accommodate vehicular, pedestrian and bicycle traffic. A continuous and connected sidewalk/path system will be constructed to facilitate pedestrian circulation throughout the BROD. All roadways will be tree lined

to enhance community appearance and contribute to pedestrian comfort.

**Policy 2.16.2** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The Primary Internal Transportation Plan for the BROD is adopted as BROD Map No. 11c. The Primary Internal Transportation Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Internal Transportation Plan.

**Policy 2.16.3** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The Typical Cross Section for the transportation corridors linking Villages and the Town Center within the Primary Internal Transportation Plan for the BROD is adopted as BROD Map No. 11d. The Typical Cross Section is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Typical Cross Section.

**Policy 2.16.4** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The Town Center serves as a Gateway to the community, and shall be planned and located within the Primary Internal Transportation Plan. The transportation corridors linking Villages and the Town Center will be designed to meet parkway, avenue or collector standards. The Town Center shall be located in an area that is accessible to the residents of the neighboring Villages without leaving the BROD.

**Policy 2.16.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The Village concept services an area within a 1 to 1.5 mile radius. This distance characteristic provides for an efficient network of essential services (such as Fire/EMS) in supporting the BROD.

**Policy 2.16.6** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* A cohesive transportation system that includes supportive land use and development is to be applied within the BROD. This shall include the coordination of land uses and transportation networks such as bicycle, pedestrian, road, personal transportation {such as Electric Urban Vehicles (EUV)} including other low emissions forms of transportation, Segways and transit facilities. Connectivity between these multimodal approaches is necessary to an effective transportation system (See Policy 2.16.2).

**Policy 2.16.7** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Streets located within neighborhoods shall be properly scaled to the neighborhood. Such streets will have slower speeds, pedestrian orientation and will be compatible with a mix of residential, commercial and retail uses.

**Policy 2.16.8** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Transit-friendly design features are required, such as:

- Mixed land uses either vertically or horizontally. The mixed land uses would reduce

- “external” trip making activity, shorten trip length, and capture trips internally,
- Inclusion of Public, Quasi-Public and Civic uses as an integral part of the Town Center and Villages-Neighborhood Commercial Center would be encouraged,
  - Placement of higher density and senior housing near commercial centers and civic uses would be encouraged,
  - Design of the street networks with multiple connections and direct routes would be encouraged.
  - Integrate transit bus turnouts and school bus pick-up areas into the design/location of land use areas and the road system.

**Policy 2.16.9:** A limited transportation, pedestrian, and utility corridor shall be designed and constructed through the Corridor Greenway and that portion of the Observation Greenway connecting the Curry Lake area and Telegraph Swamp (including a wildlife underpass in the Corridor Greenway), consisting of not more than 120 feet in width with a maximum speed limit of 20 mph in the proposed Corridor Greenway and that portion of the Observation Greenway connecting Curry Lake and Telegraph Swamp. That corridor is designated on the BROD Master Plan and shall be included on the MAP H approved in the DRI development order.

**Objective 2.17** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Provision of transportation facilities needed to serve the BROD shall be planned and constructed in a timely and coordinated manner.

**Policy 2.17.1** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Transportation infrastructure to serve the BROD will be in place at the time the individual phase of development occurs, or funded through an appropriate capital improvements program and scheduled to be in place within three years from the issuance of building permits for the individual phase of development approval. The Capital Improvements Plan shall specify the responsible party, whether County, developer, or otherwise, for the funding of such transportation infrastructure.

**Policy 2.17.2** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Capital Improvements Element and Traffic Circulation Map for Charlotte County is hereby amended to include those road improvements identified in and adopted as BROD Map No. 11e (BROD 2030 Recommended Network Improvements). These improvements are included in the BROD Capital Improvements Plan described in Policy 2.22.1 and BROD Figure 2\*, along with the developer’s commitment to financial feasibility as established through an enforceable Development Agreement or Interlocal Agreement. The BROD Capital Improvements Plan shall specify the responsible party, whether County, developer, or otherwise, for the funding of such transportation infrastructure, and is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies. \*Figure 2, located at the end of the GOPs section

**Policy 2.17.3** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Charlotte

County will support amending the below described MPO transportation planning maps, at the immediate next opportunity after adoption of the BROD, to reflect the transportation improvements to serve the BROD, with appropriate funding from the development within the BROD, as long as previously identified needs and funding for other projects is not delayed:

- Map 2030 Needs Assessment Traffic Circulation
- Map 2030 Cost Feasible Projects
- Map 2030 Cost Feasible Circulation

**Policy 2.17.4** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Working with the owners/developers of the BROD, Charlotte County shall support the conveyance of a 300 foot right-of-way along SR 31 from the Lee/Charlotte County Line to CR 74 for the expansion of SR 31. Additionally, the owners/developers of the BROD will work with Lee County to execute a Development Agreement or an Interlocal Agreement to provide for the planning and acquisition of a consistent right-of-way from North River Road north to the Lee/Charlotte County Line. Two wildlife crossings shall be provided along and under SR 31 on lands being acquired by the State; one in the vicinity of Curry Lake and one north of the northern portion of the BROD. The exact location and design of the crossings shall be determined in consultation with FDOT, FDEP and FWCC.

**Policy 2.17.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Using mixed-use planning and a compact urban form, including commercial, office, industrial and institutional uses, contemplated herein, the internal capture rate (“ICR”) for vehicle trips shall be maximized, with a targeted internal capture rate of between 50% - 70%. However, analysis of transportation impacts will initially assume a 22% ICR, subject to adjustment upward or downward in the DRI process, and will therefore provide an evaluation of which off-site transportation improvements are required under this scenario. Transportation models shall be generated using a unified model which includes traffic in Lee and Charlotte Counties. As development within the BROD occurs, the ICR will be monitored, utilizing and reconciling Charlotte County and Lee County data, and the required off-site transportation improvements will be adjusted so that the required improvements are commensurate with any actual measured ICR, or as may be adjusted upward or downward from 22% in the DRI process.

**Policy 2.17.6** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Transportation planning shall also include consideration of mass transit (including planning for future corridors), as an integrated component in the planning and design process for the property, and will be designed for connectivity to larger regional systems, both present and planned.

**Policy 2.17.7** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* All roadways and pathways will be designed and located so as to have the least adverse impact on native vegetation, wildlife, wetlands and natural hydrology.

**Objective 2.18** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): A regional systems approach to environmental planning and design shall be incorporated as an integrated element within the BROD.

**Policy 2.18.1** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): An Environmental Assessment that is sensitive to both the preservation of the most viable natural resources within the BROD and to the managed conservation of other natural resources has been submitted. The Environmental Assessment has identified and addressed the following:

- Watersheds, basins, streams, waterbodies, floodplains and wetlands;
- Groundwater resources;
- Aquifer recharge areas and proposed wellfield areas;
- Listed species and their habitat;
- Vegetative communities, including heritage trees as defined in the Code of Laws and Ordinances of Charlotte County, Florida;
- Soils, geological features and topography.

The Environmental Assessment has been used as the basis for identifying and mapping a cohesive network of environmentally sensitive lands, to be known as the Primary Greenway Plan, defined in Policies 2.18.3 – 2.18.9 below, which will serve to surround and define the Villages and the Town Center. These environmentally sensitive lands shall be classified as Primary Greenways.

**Policy 2.18.2** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Based upon the Environmental Assessment, the Primary Greenways have been designated and mapped, based on the principle that the highest concentration of environmentally sensitive lands should be located within the core of a designated Primary Greenway. The edges of the Primary Greenways shall be designed to increase the functional value of the Primary Greenways areas and to provide a transition from those areas to human uses.

**Policy 2.18.3** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Primary Greenways Plan for the BROD is adopted as BROD Map No. 11f. The Primary Greenways Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Greenways Plan.

**Policy 2.18.4** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Primary Greenways Plan for the BROD has been categorized based on level of public use and natural resource protection, and will be adjusted through the DRI, state and federal permitting processes. The four categories are: Active Greenway, Passive Greenway, Observation Greenway and Corridor Greenway. Compatible land management activities may be conducted in all of these Greenways, including but not limited to, ecological burning, ecosystem restoration and hydrologic restoration. Transportation and utility corridors, including major roadways, minor roadways, major multi-use trails and

secondary multi-use trails as shown on BROD Map 11c, shall be allowed in all Primary Greenways, and shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands. A management plan shall be prepared as part of the DRI process for the Primary Greenways.

**Policy 2.18.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: The Corridor Greenway is shown in the darkest green and designated with a 1 on BROD Map No. 11f. The primary goal of the Corridor Greenway is conservation, with limited public use. The Corridor Greenway creates a critical connection designed to encourage wildlife movement between the regionally significant conservation lands of Telegraph Swamp and the remainder of Babcock Ranch to the east and the Curry Lake Area and Fred C. Babcock - Cecil M. Webb Wildlife Management Area to the west. The Corridor Greenway will also connect equestrian and hiking trail systems to the north and south of the Corridor Greenway. Recreational uses within the Corridor Greenway shall have fewer impacts than uses within Active Greenways and Passive Greenways. Such recreational uses to be accommodated include equestrian use, hiking trails, and limited boardwalks and observation decks, similar to the uses contemplated for the lands being acquired by the State. Other allowable uses may include silviculture as a land management tool, one coordinated transportation and utility crossing running north to south, and habitat restoration. The transportation corridor shall include an elevated section for a wildlife underpass with appropriate fencing to direct wildlife using the corridor under the transportation facility in accordance with Policy 2.16.9. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.18.6** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: Observation Greenways are shown in the next lightest green and designated with a 2 on BROD Map No 11f. Observation Greenways consist primarily of native vegetative communities and are largely un-impacted by agricultural activities. The primary goal of the Observation Greenway is conservation and limited public use. Observation Greenways shall have the fewest uses and impacts, similar to the corridor Greenway. Recreational uses within Observation Greenways include hiking trails, limited boardwalks and observation decks, and unpaved pathways linking the developed portion of the BROD area to the remaining portion of the Babcock Ranch to the east. Other allowable uses may include silviculture as a land management tool and habitat restoration. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.18.7** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: Passive Greenways are shown as the next lightest green and designated with a 3 on BROD Map No 11f. Passive Greenways are located in close proximity to certain Villages and Hamlets, are farther removed from the Town Center area, and provide passive recreational opportunities, with the potential for ADA accessibility. Uses within Passive Greenways shall have fewer impacts than uses within Active Greenways. Such recreational uses to be accommodated include neighborhood parks, picnic areas and playgrounds, primitive camping, equestrian use, hiking trails, boardwalks and

observation decks, limited paved trails and similar uses. Other allowable uses may include silviculture as a land management tool, transportation and utility crossings, stormwater management, habitat restoration and other similar uses. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.18.8** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Active Greenways are shown as the lightest green color and designated with a 4 on BROD Map No 11f. Active Greenways are located in close proximity to the Town Center and Villages and provide passive and active recreational opportunities, with the potential for ADA accessibility. Such recreational activities may include neighborhood parks, picnic areas and playgrounds, camping, equestrian use with support facilities, hiking trails, boardwalks and observation decks, paved trails, active parks with ball fields (including restrooms and concession facilities), golf courses and similar uses. Other allowable uses may include nurseries, low-intensity agriculture, silviculture as a land management tool, transportation and utility crossings, stormwater management, habitat restoration and other similar uses. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.18.9** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Primary Greenways within the BROD may serve as mitigation for listed species and wetland impacts associated with the BROD. Specific Listed Species Management Plans may be accommodated in some of the Primary Greenways for the protection and long-term viability of state and/or federally listed species. The implementation of such plans may require additional land management activities to be conducted. Primary Greenways may also accommodate wetland mitigation in accordance with wetland regulations and approval from Water Management Districts and U.S. Army Corps of Engineers. Wetland mitigation will be determined using the Uniform Mitigation Assessment Method (UMAM).

**Policy 2.18.10** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Impacts to naturally occurring wetlands within the BROD area shall be avoided first, and then minimized, to the greatest extent possible. These wetlands will be protected based upon the wetland functionality assessment outlined in the UMAM, state permitting requirements of the South Florida Water Management District and federal permitting requirements. Uses within protected wetlands shall be restricted to those uses which are compatible, including but not limited to, passive recreation, environmental research and education, boating, fishing, limited boardwalk and observation platforms, all in accordance with state and federal permitting requirements. The use of existing wetland areas for water management (attenuation and storage, but not treatment) shall be allowed to the extent permitted by law. The use of created wetland areas for water management (attenuation, storage and treatment) shall be allowed to the extent permitted by law. Wetland areas within the BROD currently being used as water management areas may be relocated if: (1) all approvals are obtained from appropriate Local, State and Federal agencies, and (2) the affected wetland functions are replaced, and (3) appropriate

mitigation is provided within the Babcock Ranch, including the BROD area and the area to be sold to the State and Lee County. Limited crossings of such wetlands may be allowed when: (1) it is the only feasible route to serve existing or designated future urban development areas, (2) the crossing is bridged or box-culverted to the greatest degree possible, maintaining pre-development volume, direction, distribution, and surface water hydroperiod, or (3) appropriate mitigation is provided within the Babcock Ranch, including the BROD area and the area to be sold to the State and Lee County.

**Policy 2.18.11** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The design of on-site open areas shall where applicable be integrated with adjacent Primary Greenways so as to enhance habitat for small mammals and wading birds. The design of development areas and plantings shall, where applicable, enhance habitat for indigenous animal species.

**Policy 2.18.12** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Historic flow-ways or conveyances will be restored within Greenways where flow-ways have been constricted or otherwise impeded by past activities, or where additional land is needed to enhance wildlife corridors. Historic flows may also be restored within developing areas through the surface water management system design and permitting process. The conveyances shown in the western portion of the BROD may be modified to provide an equivalent conveyance. Water management treatment shall be done outside the historic conveyances. The master drainage plan shall be designed to meet Class III water quality standards and maintain off-site flows at pre-development rates. Further, the surface water management system for the BROD will be designed, permitted and constructed to assist in the MFL recovery program of the South Florida Water Management District, and the system will not lessen any contributions of water to the Caloosahatchee River during low flow periods.

**Policy 2.18.13** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The Primary Flowway Plan for the BROD is adopted as BROD Map No. 11g. The Primary Flowway Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Flowway Plan.

**Policy 2.18.14** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): A surface water management system that incorporates the functions of the natural on-site system, including seasonal hydroperiods, (surficial aquifer/water table elevations), continuity of conveyance systems and water quality shall be required, in accordance with State and Federal permitting requirements, building upon the Primary Drainage Plan which has been adopted as BROD Map no. 11b. The water management plan will provide treatment in a created system prior to discharge to the natural system. Man made ponds, lakes and/or drainage features shall be designed (size, depth, etc.) and located (setbacks from wetlands, etc.) so as to maintain water levels, quality and hydroperiods for native aquatic vegetation and wildlife, to the extent possible. Storm water treatment ponds shall be shaped to reflect natural lakes and have planted littoral areas. The surface water

management system shall be designed with best management practices (BMPs) as necessary to meet the state water quality standards.

**Policy 2.18.15** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Recognizing the need for proper wildlife and land management practices on adjacent natural areas, the BROD shall not prohibit or otherwise limit the land management activities of the state and Lee County with regard to prescribed burning on public lands. It shall be made clear to purchasers of property within the BROD that prescribed burns are a necessary and integral part of land management activities on public lands, through the recordation of notice to persons accepting a conveyance of real property in the BROD of such management activities.

**Policy 2.18.16** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* A project wide “Integrated Pest Management and Mosquito Control Program” that primarily utilizes mechanical and biological controls and limits chemical controls to those that kill only the target pest species (i.e. larvicide for mosquitoes, etc.) shall be developed as part of the DRI process.

**Policy 2.18.17** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Any historical and archeological sites within the BROD which are listed on, or are eligible for listing on, the County’s Historical Register shall be identified and evaluated as part of the DRI process, and a preservation or archival program for each such site shall be included in the DRI development order. Areas surrounding such identified historical/archeological sites or historic structures listed on, or eligible for, the Local Historical Register shall also be identified, evaluated, and protected against encroachment of incompatible activities and land uses.

**Objective 2.19** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Parks and recreation, and open space design elements shall be incorporated within the BROD.

**Policy 2.19.1** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Uses including, but not limited to, picnic areas, greenway trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird viewing blinds/tower, and interpretive facilities shall be permitted within Functional Open Space areas.

**Policy 2.19.2** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* All open space areas shall be replanted with vegetation after construction. In public areas, at least 90% of all trees and shrubs used in buffers and landscaping shall be indigenous to Florida. In privately owned areas, at least seventy five percent (75%) of the total number of required trees used in landscaping must be indigenous to Florida, and at least fifty percent (50%) of the shrubs must be indigenous to Florida. Primary Greenways shall be planted only with plant species indigenous to Florida. Plant material used for re-vegetation must conform to the standards for Florida Number 1, or better as given in Grades and Standards for Nursery Plants (1998 or latest), and Grades and Standards for

Nursery Plants, part II, Florida Department of Agriculture and Consumer Services, Tallahassee, Florida.

**Policy 2.19.3** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* In the BROD, there shall be no planting of nuisance, exotic, or non-native plants which are listed by the Exotic Pest Plant Council (EPPC) or its successor. Examples of prohibited nuisance exotic and non-native plants include the following: Australian pine, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca (cajeput), bishop wood, castor bean, common papaya, common snake plant, day jasmine, hunter's robe, Queensland umbrella tree, and trailing wedelia. Any such plants that exist on a parcel for which a development order has been issued shall be removed during the site clearing and preparation of the subject property, including areas within the boundary of the subject parcel, which are not within the footprint of any proposed structures or other improvements.

**Policy 2.19.4** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Golf courses will comply with the Audubon International Signature Program – Silver Level certification program, with best management practices developed by the Florida Department of Environmental protection under Section 403.067, Fla. Stat. (2005), with other equivalent certification programs or equivalent best management practices. Golf courses shall be planted consistent with good golf course design principles.

**Policy 2.19.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Various classifications of parks shall make up the park system, as shown on the BROD Master Plan in appropriate quantity, scale and balanced geographic distribution. The following level-of-service standards for active parks and recreation of 0.5 acres/1,000 population for mini-parks; 1.5 acres/1,000 population for neighborhood parks; and 2 acres/1,000 population for a community park, shall be met or exceeded.

**Policy 2.19.6** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Venues and opportunities that promote cultural life for all ages, such as art in public places, and performance venues for the performing arts such as dance, theater, choral groups, and concerts shall be allowed in the Town Center and all Villages. Land for a library meeting the minimum 2004 Florida Public Library Standards of 2 items and 0.6 s.f. of building space per capita, and incorporating informational, educational, and technological resources compatible with the Charlotte County's library system shall be provided.

**Objective 2.20** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* A range of housing opportunities, including workforce housing is required.

**Policy 2.20.1** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Provide a diversity of housing types to enable citizens from a wide range of economic levels and age groups within the BROD. This would include the provision of affordable/workforce housing at a level of 10% of the total number of residential housing units built within the BROD. At least ten percent (10%) of the residential units in each phase of the project shall include affordable housing. If a particular phase includes more than ten percent

(10%) of affordable housing, then the ten percent (10%) minimum of each subsequent phase shall be reduced proportionately. In no event shall more than a cumulative total of ten percent (10%) of the total number of housing units built in the project be required to be affordable housing. Sites for such housing shall include, where practical, sites adjacent to sites for public purposes, such as schools, as shown on the BROD Master Plan. All Affordable Units developed must be targeted to households earning less than 120% of the Charlotte County area median income (“Area Median Income”) as updated annually by the Florida Housing Finance Corporation. Forty (40%) percent of all Affordable Units provided must be targeted to households earning less than 80% of the Area Median Income, with at least 10% of all Affordable Units targeted for households under 50% of Area Median Income. Developer and County shall establish procedures and identify grant programs, which may be used to

- (a) monitor the effectiveness of this program, and
- (b) implement the program (i.e., down payment grant programs).

**Policy 2.20.2** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* An affordable/workforce housing plan for the BROD shall be prepared during the review and processing of the forthcoming DRI. The plan shall be based on an affordable/workforce housing needs assessment for Charlotte County, using Charlotte County demographic and socio-economic data, shall address both rental and home ownership, and shall address appropriate distribution through the BROD area. The plan shall discuss financing and land ownership alternatives for providing affordable/workforce housing, and the use of available state and federal programs to assist with the provision of affordable/workforce housing.

**Policy 2.20.3** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Community Land Trusts (CLTs) are a viable option for the creation and long-term maintenance of affordable housing. The establishment of a CLT within the BROD shall be evaluated during the review and processing of the DRI as a solution for affordable/workforce housing within the BROD.

**Objective 2.21** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* In consideration of its landward location and topographic suitability, the BROD would provide hurricane shelters and evacuation plans.

**Policy 2.21.1** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Schools and other adequate community facilities (not limited to cafeterias, stadiums, gymnasiums and others) located within the BROD shall be designed to serve as hurricane shelters for communities within the BROD and also a portion of the greater area of Charlotte County. The facilities are to be built to the standards in ARC publication 4496 or equivalent standards. Further, an evacuation plan shall be prepared as part of the DRI process that encourages residents to stay within the BROD and in accordance with the most current hurricane evacuation plans of the Southwest Florida Regional Planning Council and Charlotte County.

**Objective 2.22** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: Development within the BROD shall provide adequate infrastructure that is financially feasible to Charlotte County and the School Board and that meets or exceeds the levels of service standards adopted by Charlotte County. The BROD Capital Improvements Plan shall specify the responsible party, whether County, developer, District or otherwise, for the funding of infrastructure.

**Policy 2.22.1** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: The BROD Capital Improvements Plan is adopted as BROD Figure 2\* (BROD CIP). The BROD CIP specifies the responsible party, whether County, developer, a community development district or independent special district (“District”) or otherwise, for the funding of such infrastructure. Financial feasibility shall be demonstrated through an enforceable Development Agreement or Interlocal Agreement. The BROD CIP is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all infrastructure included in the BROD CIP. The developer or District shall be responsible for those items as shown on the BROD CIP as funded by Developer or District and for all proportionate share payments less than 100% as development triggers such payments. In accordance with Section 163.3180, F.S., adopted in 2005 through Senate Bill 360, the County shall accept any such proportionate share payments but shall not be required to construct such proportionate share improvements until 100% funding is available.

\*located at end of GOPs section

**Policy 2.22.2** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: The County shall encourage a variety of financing tools and strategies to fund capital improvement programs within the BROD, such as Community Development Districts (CDD), Independent Special Districts, Business Improvement Districts (BID), Educational Facilities Benefit Districts and other viable financing strategies to fund infrastructure improvements and achieve fiscal neutrality.

**Objective 2.23** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: To serve the BROD with state of the art utility infrastructure.

**Policy 2.23.1** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: The Primary Utility Corridor Plan for the BROD is adopted as BROD Map No. 11h. The Primary Utility Corridor Plan is subject to adjustment through the Development of Regional Impact (DRI) process, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Utility Corridor Plan.

**Policy 2.23.2** *(Created by Ordinance #2006-030, Adopted on April 4, 2006)*: Town and Country Utility Company or its designee shall plan, design, permit, and construct a water, wastewater, and reclaimed water utility infrastructure (including water supply, treatment, storage, distribution, collection, and disposal capacity) to support the potable water, sanitary sewer, and irrigation needs of the BROD at full buildout and in accordance with the level of service established by the County’s comprehensive plan, as amended from time to time. This infrastructure shall be built to County standards, and as-built drawings

shall be provided to County. County may conduct periodic inspections (the nature and frequency of which are to be determined by County) both during and after construction to ensure that the infrastructure is being properly constructed, operated, and maintained. It is recognized by the parties that said infrastructure may be constructed in phases commensurate with the creation of demand by the Development.

**Policy 2.23.3** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The BROD will develop and implement a water conservation plan. Town and Country Utility Company or its designee shall submit the water conservation plan as part of the individual water use permit application for consumptive use. The following water conservation elements will be incorporated: 1) limitation of landscape irrigation times to prevent evaporative losses, 2) use of site tolerant plants and efficient watering system known as xeriscaping, 3) installation of ultra-low volume plumbing fixtures in all new homes and businesses, 4) use of water conservation-based rate structures, 5) leak detection programs in case water losses exceed 10 percent, 6) operation of rain sensor device or automatic switch to override irrigation sprinkler system when adequate rainfall has occurred, 7) public education programs, and 8) use of reclaimed water, when available.

**Policy 2.23.4** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Development within the BROD will be required to utilize reuse water to meet all the irrigation needs of the proposed development to the extent reuse water is available. Mandatory reclaimed water zones will be established within the BROD to promote water conservation. A reclaimed water utility system will be designed so that landscaped areas and other potential users will have access to the system. Conventional water sources will be used only when an insufficient volume of reclaimed water is available.

**Policy 2.23.5** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Developer or Town and Country shall prepare and implement wellfield management plans for potable water, agricultural uses, and disposal and storage wells, existing or proposed on the Property. As part of the agricultural wellfield management plan, Developer will identify wells on the Property that need to be abandoned and properly plugged to avoid potential cross contamination, and will do so at Developer's expense.

**Policy 2.23.6** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The availability of water supply has been demonstrated through the Water Supply Assessment provided as data and analysis in support of the BROD, subject to the SFWMD consumptive use process. As the BROD is wholly located within the boundaries of the SFWMD, the development will obtain all required consumptive water use permits from the SFWMD prior to any withdrawals for development purposes.

**Policy 2.23.7** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Within the BROD, all potable water wells (defined in Rule 62-521.200(6)711, F.A.C.), shall be afforded a 500-foot radial wellhead protection area, as provided in Chapter 62-521. F.A.C. For water wells not defined as potable in Rule 62-521.200(6), the setback

distance for the prohibited discharges described in Chapter 62-521, F.A.C. shall be 200 feet. In addition, all water supply wells within the BROD shall be protected by the prohibition of the following uses with a 200-foot radial setback of the well: any groundwater well that does not meet current and applicable well construction standards; the application of any restricted use pesticides; the application of pesticides, other than restricted use, in a manner not consistent with the manufacturer's specifications; construction of any lake, pond, surface water body, including storm water retention/detention lake systems; land application of domestic wastewater residuals as defined in Chapter 62-640, F.A.C.; Class I, III, or V underground injection wells, as regulated in Chapter 62-528, F.A.C., however aquifer storage and recovery wells are permitted provided injected water meets drinking water standards as listed in Chapter 62-550, F.A.C. or has an approved aquifer exemption; solid waste disposal facilities regulated under Chapter 62-701, F.A.C.; generators of hazardous waste as regulated under Chapter 62-730, F.A.C., excluding household hazardous waste as defined in 40 C.F.R. Part 261.4(b)(1) (1994); hazardous waste treatment, storage, disposal, and transfer facilities requiring permits under Chapter 62-730, F.A.C.; aboveground or underground storage tanks used to contain hazardous wastes or petroleum products regulated under 62-730, 62-761, 62-762, F.A.C., however, storage tanks that meet the auxiliary power provision of 62-555.320(6), F.A.C. for operation of a public water supply well and storage tanks for substances used for treatment of potable water are exempt; any refueling of vehicles or equipment other than those associated with the public water supply system; and any discharge to ground water from Florida Department of Environmental Protection approved remedial corrective actions for contaminated sites.

**Policy 2.23.8** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Develop a fiber-optic and/or wireless telecommunications infrastructure to support voice, video, data and security network systems, where feasible.

**Objective 2.24** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Ensure that development within the BROD is in conformance with the objectives and policies stated herein and implemented in a coordinated and timely manner.

**Policy 2.24.1** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): Specific BROD Land Development Regulations (BROD LDRs) shall be created for and adopted by Charlotte County. The BROD, or any part of it, shall only be developed in accordance with the BROD LDRs. Should development occur in a series of phases, each phase must meet the Objectives and Policies and criteria described and/or referenced herein.

**Policy 2.24.2** (*Created by Ordinance #2006-030, Adopted on April 4, 2006*): The BROD must be served with all necessary facilities and services in a manner that is fiscally neutral to the County. Community Development Districts (CDD), Independent Special Districts, Business Improvement Districts (BID), Educational Facilities Benefit District and other viable financing tools may be utilized to meet this requirement, subject to applicable approvals.

**Policy 2.24.3** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Public infrastructure extended and funded by the developer or entity as described in Policy 2.23.2 shall be entitled to impact fee credits.

**Policy 2.24.4** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* The County may consider the increase of road, school, park and other appropriate impact fees and the establishment of districts that might fund public facilities that support the BROD, if necessary.

**Policy 2.24.5** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Transportation revenues generated within the BROD, including, but not limited to, road impact fees, gas taxes, and special assessments, shall be spent according to the existing County policies, a development agreement or interlocal agreement.

**Policy 2.24.6** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* In accordance with Section 163.3180 (1) F.S., sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools and transportation facilities shall be provided to meet level of service standards for concurrency purposes.

**Policy 2.24.7** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* In accordance with Section 163.3180 (2) F.S., sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance of a certificate of occupancy.

**Policy 2.24.8** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* In accordance with Section 163.3180 (2) F.S., parks and recreation facilities to serve new development shall be in place or under actual construction no later than one year after issuance of a certificate of occupancy.

**Policy 2.24.9** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* In accordance with Section 163.3180 (2) F.S., transportation facilities needed to serve new development shall be in place or under actual construction within three years from the issuance of building permit that results in traffic generation.

**Policy 2.24.10** *(Created by Ordinance #2006-030, Adopted on April 4, 2006):* Development within the BROD is limited to 17,870 dwelling units and 6,000,000 square feet of non-residential uses, not including schools. This total square footage for non-residential uses is further defined as including 4,840,000 square feet commercial/office/retail (including medical), 650,000 square feet of light industrial, 150,000 square feet of government/civic uses, 72 golf course holes, and 600 hotel rooms (360,000 square feet). Development within the BROD is exempt from any Transfer of Development Units policies in the Comprehensive Plan and from the Transfer of Development Units requirements of the Land Development Code.

**Objective 2.25** (Created by Ordinance #2006-030, Adopted on April 4, 2006): Development within the BROD shall be coordinated with Lee County to ensure that the impacts of the BROD occurring in Lee County are mitigated and coordinated with the Lee County Comprehensive Plan.

**Policy 2.25.1** (Created by Ordinance #2006-030, Adopted on April 4, 2006): An Interlocal Agreement or Development Agreement shall be executed with Lee County addressing those impacts from the BROD on Lee County and addressing Lee County's commitment to considering amendment of its Comprehensive Plan to allow such improvements as may be needed in Lee County to implement the BROD and mitigate its impacts.

**Goal 3 (Constitutional Rights):** Charlotte County recognizes the supremacy of the U.S. Constitution, the Constitution of the State of Florida, and will protect the rights of its citizens.

**Objective 3.1 (Private Property Rights):** Charlotte County shall respect private property rights and will not take private property without just compensation. Likewise, private property owners will respect the rights of their neighbors and will develop land in a manner which is respectful of the rights of others.

**Policy 3.1.1:** Charlotte County will provide appropriate public notice to property owners - both private and public - of all applications for amendments to the Future Land Use Map and Zoning Atlas.

**Policy 3.1.2:** Charlotte County will provide appropriate public notice to the owners of neighboring lands - whether in private or public ownership - of proposed Future Land Use Map or Zoning Atlas amendments.

**Policy 3.1.3:** Charlotte County will deprive no person of life, liberty, or property without due process of law.

**Objective 3.2 (Rights of Handicapped Individuals):** Charlotte County will guarantee the rights of handicapped individuals.

**Policy 3.2.1:** Charlotte County will comply with the provisions of the Americans with Disabilities Act in guaranteeing the rights of handicapped individuals.

**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 to safeguard the public investment.

**Objective 4.1 (Land Use Regulations):** Charlotte County will continue implementing the comprehensive plan by reviewing, amending and adopting applicable Land Development Regulations.

**Policy 4.1.1:** Local government will provide compensation, or other appropriate relief as provided by law, to a landowner for any local governmental action that is determined to be an unreasonable exercise of the local government's police power as to constitute a taking. The determination regarding compensation or other relief by judicial proceeding rather than by administrative proceeding.

**Policy 4.1.2:** As a part of the review and revision of existing regulations, the Board of County Commissioners will consider amended language, which promotes flexibility and efficiency in site design to reduce infrastructure costs, improves interior circulation, and promotes the preservation of open space and habitat lands.

**Policy 4.1.3:** As a part of the review and revision of the existing regulations, the Board of County Commissioners will consider amended language, which provides incentives for preserving historically or architecturally significant buildings and structures, public waterfronts, and scenic vistas.

**Policy 4.1.4:** As a part of the review and revision of the regulations, Charlotte County will encourage the sharing of parking facilities by land uses with complementary business hours (such as banks and nightclubs) or different patterns of parking demand throughout the week (such as medical offices and churches).

**Policy 4.1.5:** Charlotte County will, in the review and revision of regulations, consider incentives, which encourage the sharing of other forms of infrastructure - including access ways and drainage.

**Policy 4.1.6:** The Board of County Commissioners shall have final authority to interpret the comprehensive plan when a dispute arises. The criteria for exercising this authority are:

- (1) In making an exception to the customary literal interpretation, the Board of County Commissioners determines that the plan's intent would be inconsistent to the public interest of protecting the public health, safety, and welfare; or
- (2) The County Attorney determines that the customary literal interpretation of the comprehensive plan could be reasonably interpreted by State or Federal courts to constitute a "facial" or "as applied" taking of property, which the Board of County Commissioners does not wish to acquire.

The Board of County Commissioners interpretation must be based upon substantial and competent written or oral testimony. The Board of County Commissioners will solicit opinions from the County Attorney, county staff, the affected property owner, neighboring property owners, and other sources as the Board of County Commissioners sees fit.

In making an exception, the Board of County Commissioners will allow the affected property owner to deviate as little as possible from the customary literal interpretation of

the comprehensive plan to achieve one of the two criteria (i.e. protecting the public interest or avoiding a taking of private property).

**Policy 4.1.7:** Charlotte County shall continue to implement, within its Land Development Regulations, location criteria for the establishment and operation of construction and demolition debris, landfill sites, including cleanup standards, in the land development regulations for protecting the public health, safety, and welfare.

**Policy 4.1.8:** Charlotte County will continue to implement its standard housing and building codes.

**Policy 4.1.9:** Charlotte County will evaluate the effects of development on wellheads for all proposed land uses within delineated cones of influence for all central potable water supply wellheads used for public consumption. Where a cone of influence is not determined, all proposed development within 1,500 feet of the wellhead will be evaluated. Land uses in which hazardous materials (such as petroleum products or chemical or biological wastes) are produced or stored are not permitted to adversely impact groundwater resources. Landfills, wastewater treatment facilities, or feedlots/concentrated animal facilities shall be prohibited within this area. These areas are designated on the Future Land Use Map series # 5, "Wellhead Protection Areas".

**Policy 4.1.10:** Charlotte County will continue to regulate signage in order to ensure that they will not, by their reason, size, location, construction, or manner of display, endanger the public safety of individuals; confuse, mislead or obstruct the vision necessary for traffic safety; or detract from community appearance.

**Objective 4.2 (Compatibility):** To protect the quality and integrity of established neighborhoods from adjacent incompatible development the following policies shall be used in the decision-making process.

**Policy 4.2.1:** Potential incompatibilities between land uses due, but not limited to, density, intensity, platting or type of use proposed, shall be mitigated through site and architectural design techniques including any or all of the following: provision of open space, perimeter buffers (in excess of the Landscape and Buffer ordinance), landscaping and berms; the screening of new sources of light and noise and mechanical equipment, and refuse and storage areas; the location of road access to minimize adverse impacts, increased building setbacks, step downs in building heights; increased lot sizes; and lower density or intensity of land use.

**Policy 4.2.2:** In established residential areas, land uses shall be discouraged if traffic is generated on local streets in amounts that would adversely affect traffic flow, traffic control and public safety.

**Objective 4.3 (Innovative Land Development Techniques):** Charlotte County will encourage the effective use of innovative land development techniques.

**Policy 4.3.1:** 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.

**Policy 4.3.2:** The Land Development Regulations will provide incentives for the clustering of development, such as homesites, and for providing functional open space and green space.

**Objective 4.4 (Zoning):** Charlotte County will maintain a Zoning Atlas as an implementing Land Development Regulation for the Future Land Use Map.

**Policy 4.4.1:** The Charlotte County Zoning Atlas will be consistent with the Future Land Use Map.

**Policy 4.4.2:** Charlotte County will continue to initiate amendments or rezonings of all lands which have an inconsistency between zoning and Future Land Use Map designations.

**Policy 4.4.3:** On any lot or parcel in which the Zoning Atlas is inconsistent with the Future Land Use Map, Charlotte County will regard the Future Land Use Map as depicting the appropriate, developable land use unless the text of the comprehensive plan clearly states otherwise. Allowable uses suitable for development will be consistent with the least intensive Zoning District which implements the Future Land Use Map designation.

**Policy 4.4.4:** Prior to approval of a petition for rezoning, the proposed zoning district must be consistent with the uses permitted within this comprehensive plan.

**Policy 4.4.5:** Charlotte County will regard the process of amending the Zoning Atlas as a quasi-judicial act and will review all evidence concerning the potential effects of the proposed rezoning upon neighboring properties and their owners, whether public or private.

**Objective 4.5(Land Subdivision):** Charlotte County will regulate the subdivision of land consistent with the Future Land Use Map in order to create conditions favorable for the health, safety, and welfare of its citizens.

**Policy 4.5.1:** The subdivision of land within Charlotte County will be consistent with adopted Subdivision Regulations.

**Policy 4.5.2:** The subdivision of land within Charlotte County will not reduce the levels of service for infrastructure and services below that identified in this comprehensive plan.

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

**Objective 5.1 (Hurricane Protection):** Through the planning timeframe of 2020, Charlotte County will protect existing and future populations from the loss of life and property caused by catastrophic hurricanes by limiting densities of new plats to a maximum of 3.5 units per gross acre within the Coastal High Hazard Area (Tropical Storm and Hurricane Category 1 Storm Surge zones).

**Policy 5.1.1:** To prevent the intense development of lands in unincorporated Charlotte County within the Tropical Storm and Category I Hurricane Storm Surge Zones as illustrated on the most recently updated SLOSH map issued by the Southwest Florida Regional Planning Council, population densities of development platted subsequent to April 19, 1993 will not exceed 3.5 units per gross acre. In accordance with the provisions of Ordinance #90-58, population densities on the bridgeless barrier islands are reduced to one unit per gross acre; areas on the bridgeless barrier islands platted prior to the date of adoption of Ordinance #90-58 shall have an allowable density of one unit per subdivided lot.

**Policy 5.1.2:** In addition to the density reductions prescribed in Policy 5.1.1 above, Charlotte County will allow the voluntary transfer of densities out of the Tropical Storm and Category I Hurricane Storm Surge Zones.

**Policy 5.1.3:** Charlotte County, with the assistance of the Southwest Florida Regional Planning Council, will conduct regular reviews of the impact of new developments on hurricane evacuation times.

**Objective 5.2 (Public Facilities Locations):** Through the planning timeframe of 2020, Charlotte County will locate public facilities in locales which are less susceptible to severe weather damage and not within the Coastal High Hazard Area (Tropical Storm and Category 1 Storm Surge zones) unless such location is the only one which serves a particular structure's intended public purpose.

**Policy 5.2.1:** In order to reduce the potential for property damage, Charlotte County will not construct government buildings within the Coastal High Hazard Area (Tropical Storm and Category 1 Hurricane Storm Surge zones) unless such location is the only one, which serves that particular structure's intended public purpose.

**Policy 5.2.2:** Public facilities, when practicable, will incorporate more than one floor level in order to provide storm surge flood evacuation protection.

**Policy 5.2.3:** Public facilities, providing for public health, safety and welfare, 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.

**Objective 5.3 (Public Utilities Locations):** 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 2020.

**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 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.

**Policy 6.1.4** *(Created by Ordinance 2005-009, adopted January 18, 2005):* Charlotte County will prepare and implement a Community Redevelopment Plan for Murdock Village Community Redevelopment Area in accordance with Chapter 163, Part III Community Redevelopment, Florida Statutes.

**Policy 6.1.5** *(Created by Ordinance 2005-009, adopted January 18, 2005):* Charlotte County will provide support for the Murdock Village Community Redevelopment Area by implementing a land acquisition program with the intent to assemble property within the Redevelopment Area to facilitate the public/private redevelopment of the district.

**Policy 6.1.6** *(Created by Ordinance 2005-009, adopted January 18, 2005):* To implement the “Redevelopment Plan”, Charlotte County shall adopt a specific mixed-use zone district for the Murdock Village Mixed-Use Redevelopment District land classification. This district shall include design/development standards as well specific

Floor Area Ratios (FARs) for the land use relationships established in the “Redevelopment Plan”. The standards shall include design and maintenance criteria for new and redeveloped properties, streets, pedestrian and bicycle facilities, signage, and public areas within the development. The standards will address the incorporation of human-scale aesthetics into street and building design. Building design and location shall reinforce a pedestrian-oriented character including linkages between land uses through a functional bicycle-pedestrian system. Public gathering places shall be incorporated within each distinct land use area.

**Policy 6.1.7** (*Created by Ordinance 2005-009, adopted January 18, 2005*): Charlotte County shall consider partnerships with the private sector and other governmental entities to facilitate redevelopment initiatives by leveraging County assets to improve the overall economic and physical condition of the Murdock Village Community Redevelopment Area.

**BROD Figure 1**

**BROD Summary Phasing Plan**

Residential Dwelling Units (C/O)	Non-Residential s.f. (Cumulative) *1	Schools [Elem (E1, E2, E3) Middle (M) & High (H) Schools]
500	10,000	
1,000	35,000	
2,000	100,000	
4,000	300,000	E1
7,000	600,000	E2 & M
10,000	1,000,000	
12,000	1,250,000	H
14,000	1,550,000	E3
16,000	2,000,000	
17,870	3,000,000 *2	

\*1 – all non-residential square footage is cumulative by C/O threshold

\*2 – Non-residential sf threshold is minimum

**Figure 2 Babcock Ranch Overlay District CIP**

Item	Roadway Improvement Statistics					Sources of Funds				District Bonds	Funding Obligation by:
	From	To		Cost	Phase Programmed	Phased Improvements	Industrial Revenue Bonds ("IRB")	Impact Fees *2	Builder Assessment @ \$2,600/B-permit *3		
<b>Transportation Facilities</b>											
<b>Roadway Segment</b>	<b>From</b>	<b>To</b>		<b>Cost</b>	<b>Phase Programmed</b>						
<b>Charlotte County (2010 - 2015 -Phase I)</b>					By:						
SR 31	Lee Co line	main Proj. ent	2 to 4	21,560,000	2015	Phase I *1				*7	Developer/District
	Lee Co line	main Proj. ent	4 to 6	21,560,000	2015	Phase I *1					Developer/District
	main proj. ent	CR 74	2 to 4	31,724,000	2015	Phase I *1		98,706,000 *1			Developer/District
	main proj. ent	CR 74	4 to 6	31,724,000	2020	Phase II					Developer/District
CR 74	Piper Road	SR 31	2 to 4	64,944,000	2015	Phase I *1					Developer/District
	Piper Road	SR 31	4 to 6	32,472,000	2030	Phase III					Developer/District
US 17	CR 74	Wash Loop Rd.	4 to 6	4,371,000	2030	Phase III					Developer/District
Babcock N/S Rd.	Lee Co Line	M Proj. Ent	0 to 6	77,880,000	2020	Phase II					Developer/District
				286,235,000		Internal Project Cost					Developer/District
				<b>208,355,000</b>							Developer/District
						Phase I					Developer/District
<b>Sanitary Sewer Facility, water facility, Drainage *4</b>						<b>64,500,000 *4</b>					Developer/District
<b>Parks and Recreation</b>											
Building Improvements						Various yrs *5		8,346,070			Developer/District
Site Improvements								44,826,601			Developer/District
<b>Schools</b>											
Elementary 1						2014			*6	\$12,000,000	Blder Asset & District *3
Elementary 2						2018				\$12,000,000	Blder Asset & District *3
Elementary 3						2023				\$12,000,000	Blder Asset & District *3
Middle						2018				\$30,000,000	Blder Asset & District *3
High						2021				\$70,000,000	Blder Asset & District *3
Educational Service Center		(Land Dedication Only)									
*1 - Phase I Transportation improvements (see Traffic Analysis for details)											

*2 - Impact fee schedule per Dr. Jim Nicholas available upon request. The impact fee schedule provides for impact levies on roads, Parks & Cultural, public Facilities, Fire and Law Enforcement.										
*3 - Developer is imposing a builder school fee to assist in the school construction program contemplated herein. District bonding financing is contemplated. If a school impact fee is approved in charlotte County, the School impact fee will replace the builder school fee.										
*4 - Water Sewer and Drainage have been calculated and combined for this CIP.										
*5 - Please refer to Exhibit D of the Development Agreement for details of timing and improvements.										
*6 - Builder fee and a District bonding program will fund the school construction contemplated. The School Board will lease back the facility. The lease payment will retire the bonds sold.										
*7 - Pursuant to the Development Agreement ("DA"), the developer has committed to fund the improvements, with these obligations to be assumed by CDD's, Independent Special District or other appropriate financing mechanisms, if utilized										
					➔	<b>Phase I</b>	<b>Phase II</b>	<b>Phase III</b>	<b>Phase IV</b>	<b>Total</b>
	2010	2011	2012	2013	2014	2015	2020	2025	2030	
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 10	Year 15	Year 20	
<b>Transportation</b>										
Phase I		20,000,000	20,000,000	20,000,000	20,000,000	18,706,000	41,082,000			
Phase II							109,604,000			
Phase III										
Phase IV									36,843,000	
<b>Total</b>									<b>*8</b>	<b>208,355,000</b>
<b>Water, Sanitary Sewer &amp; Drainage</b>	20,000,000	10,000,000	10,000,000	10,000,000		14,500,000				
<b>Total</b>						64,500,000	50,000,000	50,000,000	50,000,500	<b>214,500,500</b>
<b>Parks &amp; Recreation</b>										
Building Improvements						1,500,000	5,500,000	1,346,070		8,346,070
Site Improvements				1,645,000	1,000,000	1,770,000	23,670,000	12,000,000	4,741,601	44,826,601
<b>Total</b>										<b>53,172,671</b>
<b>Schools</b>										
Elementary					12,000,000					
Elementary							12,000,000			
Elementary								12,000,000		
Middle							30,000,000			
High								70,000,000		
<b>Total</b>										<b>136,000,000</b>
*8 - \$286,235,000 100% Mitigation - less Babcock Internal N/S Road (77,880,000) = \$208,355,000.										

## VII. Appendix

### Appendix I Murdock Village EQUIVALENCY MATRIX<sup>1</sup>

(Revised 5/11/07)

	Single Family	Multi Family	Regional Commercial	Other Commercial	ILF / ALF	Office Showroom	Community Commercial	Recreational Facility	Internal Commercial	Student Housing
Single Family	N/A	1.33 du / du 1.3276	242.14 sf / du 0.2421	59.74 sf / du 0.0597	3.50 lu / du 3.5000	0.79 ksf / du 0.7857	188.26 sf / du 0.1883	12.83 ac / du 12.8333	179.07 sf / du 0.1791	2.66 lu / du 2.6552
Multi Family	0.75 du / du 0.7532	N/A	182.39 sf / du 0.1824	45.00 sf / du 0.0450	2.64 lu / du 2.6364	0.59 ksf / du 0.5918	141.81 sf / du 0.1418	9.67 ac / du 9.6667	134.88 sf / du 0.1349	2.00 lu / du 2.0000
Regional Commercial	4.13 du / ksf 4.1299	5.48 du /ksf 5.4828	N/A	246.70 sf / ksf 0.2467	14.45 lu / ksf 14.4545	3.24 ksf / ksf 3.2449	777.51 sf / ksf 0.7775	53.00 ac / ksf 53.0000	739.53 sf / ksf 0.7395	10.97 lu / ksf 10.9655
Other Commercial	16.74 du / ksf 16.7403	22.22 du / ksf 22.2241	4,053.46 sf / ksf 4.0535	N/A	58.59 lu / ksf 58.5909	13.15 ksf / ksf 13.1531	3,151.59 sf / ksf 3.1516	214.83 ac / ksf 214.8333	2,997.67 sf / ksf 2.9977	44.45 lu / ksf 44.4483

<sup>1</sup> Land use exchanges are based on two-way P.M. peak hour project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid waste, and affordable housing are not exceeded. Commercial includes such uses as: shopping centers; restaurants; churches; educational (all levels); technical and vocational facilities; movie theaters; clubs and lodges; hotel/motel; funeral homes; and offices. A university which is governed by Sec. 1013.30 F. S. ("University") is exempt from Development of Regional Impact review, and therefore, a University shall not derive DRI vested rights from, or be governed by, this matrix, notwithstanding that the land upon which a University may be located is within the land area which has been determined to have DRI vested rights under the BLIVRs and BLIMs for Murdock Village.

#### Land Use<sup>a</sup>

Single Family  
Multi Family  
Regional Commercial  
Other Commercial<sup>b</sup>  
ILF / ALF

#### Minimum / Maximum

500 dus / 5,000 dus  
400 dus / 5,300 dus  
200,00 sfgla / 1,500,000 sfgla  
593,600 sfgla / 2,291,448 sfgla  
0 lus / 1,000 lus

#### Land Use<sup>a</sup>

Student Housing  
Community Commercial  
Recreational Facilities  
Internal Commercial  
Office Showroom

#### Minimum / Maximum

0 lus / 1,000 lus  
0 sfgla / 400,000 sfgla  
0 ac / 250 ac  
0 sfgla / 100,000 sfgla  
0 sf / 200,000 sf

<sup>a</sup> See table 4 for permitted locations for each of the above land uses

<sup>b</sup> Other Commercial and General Commercial are the same for the purposes of this Equivalency Matrix

Example Exchange -- Add 500 ALF / ILF living units by reducing Other Commercial: 500 lus / 58.5909 lus/ksfgla = 8.534 or 8,534 sfgla of Other Commercial

**Editor's Note:** Appendix 1 (Equivalency Matrix), has been adopted as part of the Murdock Village provisions of the Comprehensive Plan to provide maximum and minimum totals for the land uses listed in Appendix 1. Appendix 1 refers to "Table 4" which was not adopted as part of the Comprehensive Plan; however, such table does not address matters relevant to the Comprehensive Plan.

## Appendix II, Existing Land Use Codes

### **RESIDENTIAL OR HOUSING (1001-1905).**

*Single family residential* (1001). One-family detached dwelling units. These lands were the subject of relatively little windshield surveying because generally reliable data were available from MPO, CDM, and Property Appraiser sources. Single family units are easily spotted on aerial photographs when they are located in areas zoned for single family residential use. (Some single-family conventional units are located in areas zoned for mobile home communities, and these are not easy to spot on aerial photographs. Staff visited all mobile home parks for this reason).

*Duplex* (1002). Two attached dwelling units. Two driveways or double-wide driveways as seen on aerials help identify a duplex area. Some duplexes may have been missed in areas which are zoned RMF-5 or -10, but which contain a high number of single family homes. Again, single family areas were not windshield surveyed. Duplexes, on the whole, were located in small duplex communities.

*Triplex* (1003). Three attached dwelling units. These are easily seen on aerials, guaranteeing a field survey for verification. Triplexes were usually located in densely populated multifamily zoned areas.

*Apartment/townhouse/condominium* (1004). Four or more attached dwelling units generally found in multi-family areas.. Number of units per facility was noted for entry into the GIS database. Individual buildings were not labeled with units if they were part of larger complexes. The total number only was noted for the entire development. If the total number of units could not be determined in the field, a phone call to management was made to verify the number of units. In some unusual cases, a staff member went to the Zoning Department to obtain the number of units from the planned development's building permits. Generally, if there was one apartment complex, there were many more to be found in the immediate vicinity. There were many secondary uses located within apartment complexes which will be discussed later.

*Mobile home* (1400). Trailers, mobile homes. All mobile home parks, mobile home communities, and mobile home subdivisions receive this designation for each individual structure. "Manufactured homes" were given the mobile home classification. The County Zoning Atlas was essential in locating these mobile home areas before field work commenced. All mobile home zoned areas were visited in the windshield survey. Sometimes aerials were used to locate specific structures after it was determined that the area was, indeed, a mobile home community. Many Planned Developments did not have individual plats for each home, so a total number of units was obtained from that the development's real estate office or from the windshield survey. Private parks, lodges/club facilities, and docks were common secondary uses in these types of development. Certificated of occupancy data could possibly be used to locate 1992-1994 mobile homes; however, some confusion exists in the Building Department's CO mobile home classification. Manufactured homes are not consistently called "single family" or "mobile homes".

*Adult congregate living facilities, nursing homes, group homes; juvenile rehabilitation centers* (1500). These facilities are licensed by the Florida Department of Health and Rehabilitative Services (HRS). They provide room, board, personal services, and sometimes nursing and medical care to three or more adults, particularly the aged. These facilities may also provide care for developmentally disabled adults or rehabilitation of juveniles.

*Hotel/motel* (1600). Establishments housing guests on a short-term, temporary basis. Some hotel/motel and multifamily residences may function in a similar manner and, therefore, may be coded one or the other. Hotels are always located in commercially zoned areas. Staff obtained the number of units of the hotel/motel either by inquiring at the office on the field visit or by contacting the facility by phone. This category may also include seasonal rental establishments.

*Recreational vehicle/travel trailer campground* (1700). Campground or travel trailer park. Recreational business with primarily short term stays. Staff obtained the number of available hook-ups for trailers and camp sites at each location. A few of the RV parks which staff encountered contained a mixed use area of mobile homes and RVs with no separation of the two types of structures. These sites were labeled as "RV Parks" with the total number of RV spaces provided by that facility's office. It also was not unusual to have an RV park located within a small section of a mobile home park.

*House of worship* (1900). Church, synagogue, mosque, temple. Churches which were found in the field were noted. Since churches are located in primarily residential districts, it is probably appropriate to assume that many structures were not recorded. A more comprehensive list of places of worship was used for the miscellaneous land use maps. Religious establishments found in strip malls were noted, although staff has not yet decided how to use these data.

*House of worship in which a child care facility or private school is operated* (1905). Places of worship containing secondary uses such as nurseries, day care facilities, or private schools. This code was created to address the problem of one platted lot needing two or more GPS codes.

#### **PUBLICLY OWNED FACILITIES (2100-2180).**

*Government office complex* (2100). Administration buildings, public works offices, court houses. Federal, state, and local governmental offices were placed in this category.

*Auditorium, convention center* (2105). Publicly owned auditorium and community centers.

*Post office* (2110). Does not include post offices in retail stores. Some offices are located within larger shopping areas (such as the Murdock office located in the Cobb Cinema Complex) which are covered later in the neighborhood center commercial classification.

*Fire/EMS station, training, or repair facility* (2120). These may be County- or City-owned, and may be staffed with full-time professionals, with volunteers, or some combination; may contain ambulance or paramedic stations. Signs outside of these structures verified it as fire or EMS facility. Included in this category were all of the State of Florida Division of Forestry fire towers and training facilities. A second fire rescue company exists in the county as a part of the Englewood Area Fire Control District.

*Law enforcement facility* (2140). Sheriff's office, jail, prison. Two of the Sheriff's offices are located in commercial shopping centers. Such offices were not specifically identified. The prison on Oil Well Road was found to contain much more than a prison. It included employee housing, a water tower, and sewage treatment which were all noted.

*Library* (2150). Public library. Easily recognized by sign posted.

**ALL PUBLIC SCHOOLS (2159-2163)** were located on the miscellaneous land use maps.  
*Public school - special education* (2159). Special education facility. This code was created so that the Charlotte Harbor School could be placed in an appropriate category.

*Public school - elementary school* (2160). K through 6th grades.

*Public school - junior high school* (2161). 7th through 8th grades.

*Public school - high school* (2162). 9th through 12th grades. The New Challenge School, an alternative to the traditional high school, was placed in this category.

*Vocational technical school* (2163). Post-high school technical school. Charlotte County Vo-Tech.

*University or college* (2164). Post-graduate school educational institution offering associate, bachelor, or post-graduate degrees. The only Junior College in the county is located within the City of Punta Gorda and was not located. (A separate code for four-year colleges was eliminated.)

*Private school* (2166). K through 12th grades. Separate codes for grade breakdowns were eliminated because accepted grade breaks were not the same as the public schools. There was a wide range in the number of enrolled students varying from one school to another.

*Stadium* (2170). Charlotte County Stadium (stand alone facility). This is a stadium which was not affiliated with a school or county park. Two were located: Charlotte County Speedway and Ranger Stadium.

*Landfill* (2180). Landfill. Junk and trash area; could be a hazardous waste area; easily discernable upon field examination. Only two were located: the Zemel Landfill and a private landfill off of Jones Loop Road in Punta Gorda.

## **UTILITIES (2190-2240).**

*Communication facility or tower (2190).* Radio or cellular phone towers, as well as communication offices. These are located throughout the county. It is quite possible that some towers could have been missed since they could not be seen on aerials. There are also many small telephone company (or similar company) buildings which dot the county and which are easily mistaken for dwelling units on aerials, but were obviously communication facilities when encountered in the field survey.

*Sewage treatment plant/facility (2200).* Treatment plant, large substation, or spray field. This category also includes lift stations. Charlotte County Utilities was contacted for a comprehensive list to be used in this land use data compilation. CCU's regulatory section reported that they did not have very much or reliable data on other public or private utilities in the county.

*Potable water treatment plant/facility (2210).* Treatment plant, large substation, or reservoir.

*Water tower (2220).* Potable water tower.

*Electrical plant/facility (2230).* Generating plant or large substation. A list was obtained from Florida Power & Light and was included in the miscellaneous land use.

*Gas storage facility (2240).* Facility for storing petroleum, propane, and natural gas products. This designation was added for an unanticipated existing land use which was found while working with CCU information.

## **PARK OR RECREATIONAL SITES (2300-2340).** *The location of parks is further discussed in the miscellaneous land use section.*

*Public park - developed (2300).* Playgrounds, shelters, ball fields or courts, picnic tables, boat ramps. Identifiable by a Charlotte County sign posted on the site.

*Public park or refuge - undeveloped (2310).* Primarily natural state or open space, wildlife refuge. Federal, state, and county owned lands are included here. Does not include water bodies such as the Lemon Bay Aquatic Preserve.

*Private park - developed (2320).* Playgrounds, shelters, ball fields or courts, picnic tables, boat ramps. These were usually found within Planned Developments, mobile home parks, or private residential communities; the "private property" signs were obvious.

*Golf course/driving range (2340).* Golf course, stand-alone driving range, not miniature golf. Most of these are scattered within planned developments and mobile home areas. Can include a pro shop or rental facility. Although miniature golf is not included in this GPS code, a "mini-golf course" is. This would be a small executive course, but definitely not miniature golf.

**HEALTH CARE FACILITIES (2400-2420).**

*Hospital (2400).* Acute care hospital. Bon Secours-St. Joseph Hospital, Fawcett Memorial Hospital.

*Health service office (2410).* Stand-alone facilities such as physician, dentist, eye care offices, medical clinics, laboratories, veterinarians; not located in strip centers. Hospital-owned out-patient facilities not on hospital grounds were placed in this category.

**AGRICULTURAL SITES (2500-2520).** *A detailed discussion of staff's aerial interpretation for agricultural areas in eastern Charlotte County is found later in the text.*

*Improved agricultural land (2500).* Cleared farm land for agriculture, timber production, livestock raising, row crops, and citrus groves. Each parcel was coded. Includes a number of secondary uses.

*Unimproved agricultural land (2510).* Land that has not been cleared which can be used for native range grazing. Each parcel was individually coded.

**MINING SITE (2600).**

*Mining site (2600).* A site in which a raw material is mined and transported off-site for profit. These exist primarily in AG zoned areas. Excavation is a part of this code - Charlotte County does not have any true mineral mining sites. The determining factor between a mining site and an industrial production site is that only raw materials are a part of a mining site. The Charlotte County Land Development Department compiled a list of all active Class II excavations including their locations. All active excavations were found and placed on the miscellaneous land use maps.

**INDUSTRIAL SITES (3000-3040).** *These codes were used exclusively in industrially zoned areas.*

*Light manufacturing site, including wholesale trade facilities (3000).* Product assembly, no altering of raw materials; processing oriented, wholesale distribution centers. This is the broadest GPS code for an industrial zone and was used much like the 4100 Miscellaneous Retail code was used in commercial areas. For example, there are warehouses which are leased to a number of businesses in each warehouse for small-scale product assembly. A crematorium located in an industrial zoned area was placed in this category. In the course of the project, three GPS codes were combined into this category.

*Heavy manufacturing site (3010).* Raw material production; concrete or batch plant; boat manufacturer. Hazardous waste may be stored on site. Field visits made this use obvious. A product is made here with substantial altering of raw material.

*Transportation facility (3040).* Truck terminal, ferry dockage. The Charlotte County Airport was put in this category along with its secondary uses such as hangars. Ferry dockage not located within a marina was also included. This category does not include rental truck company facilities.

The Charlotte County Development Authority provided detailed maps of the Airport and its surrounding industrial park. These data were used to code the entire area.

**COMMERCIAL BUSINESSES (4000-4160).**

*All commercial corridors were surveyed.* See "Windshield Survey of Commercial Corridors" for specific roads surveyed.

*Commercial strip (4001).* Strip development along US 41, SR 776, US 17, and other roads. Two or more businesses connected and renting out of the same building; no common ground for the type of business. This GPS code was changed in the course of the project from 4030 to 4001. Units were noted and added to the GIS data base.

*Neighborhood center (4033).* Small size commercial center ranging in parcel size from 3 to 10 acres; gross leasable area of 20,000 to 100,000 sq. ft.; service area of about 3 miles; Examples: Rotonda Plaza on CR 775, Charlotte Square on U.S. 41. It was difficult to use this distinction in the field; however, neighborhood centers can be distinguished by using plat maps and building records.

*Community center (4034).* Medium size commercial center ranging in parcel size from 10 to 30 acres; gross leasable area of 100,000 to 300,000 sq. ft.; service area of about 10 miles; Examples: Murdock Carousel and Merchants Crossing.

*Regional center (4035).* Large size commercial center with a parcel size of more than 30 acres; gross leasable area of more than 300,000 sq. ft.; service area of the total County; Example: Port Charlotte Town Center Mall.

*Building materials and garden supplies (4040).* Nurseries, Scotty's, Home Depot. A tile manufacturer in a commercial area was placed in this category. Some nurseries are in agricultural zoning, but have distribution and sales on site. They also were included in this designation.

*General merchandise store (4050).* Discount, variety, specialty stores; stand-alone facilities. Stores ranging from Sam's Wholesale clubs to a cypress clock dealer to furniture stores were included in this class, which offers goods for sale directly to consumers. Shops with a combination of sales and repair were put in this category.

*Automotive dealer (4070).* New and used car dealers. On occasion, an auto repair shop owned and operated jointly or separately, would be located on the same property. Jointly owned shops were classified as a secondary use to the auto sales business. RV sales were placed here.

*Gas service station/convenience store (4080).* Circle K, Pik-n-Run type stores, Exxon, Chevron, etc.

*Eating/drinking establishment (4090).* Restaurants and bars.

*Miscellaneous retail (4100).* Other commercial uses not specified. Stand-alone facilities which do not fall into any other commercial category. Commercial facilities whose uses could not be determined were also placed in this category.

*Service business (4110).* Pest control, maintenance/janitorial, employment agency. Commercial agencies which offer a service rather than durable goods/products. Examples include: repair shops other than automobiles, hairstylists, and dry cleaners. Recreation vehicle and boat repair businesses may also fall within this category.

*Financial, insurance, real estate office (4120).* Banks, savings and loans, insurance and real estate offices. This category does not include bank buildings that house other professional offices.

*Automotive maintenance/ repair shop (4130).* Body, paint, and maintenance shops. Only automobile shops were placed here.

*Professional office building (4140).* Structures housing numerous offices, including bank buildings; variety may vary. Model homes in commercial corridors were given this code. The conventional model home areas within residential communities were not surveyed, and therefore, not coded as professional offices.

*Day/child care facility (4150).* Centers for children and adult care - no overnight residency for attendees. These were not necessarily found in commercial areas. For that reason, some may have been missed in the windshield survey. Many times they were found at churches and schools. A comprehensive list of day care facilities was obtained from HRS in March 1995 and entered into the GIS.

*Amusement or recreation business (4160).* Movie theaters, miniature golf, bowling alley.

#### **LODGE OR CLUB FACILITIES (5000).**

*Lodge/club facility (5000).* Structures housing social clubs such as the Italian-American Club, country clubs, Masonic bodies, American Legion, women's clubs. This GPS code was also used in planned developments and mobile home parks where a private lodge and recreation facility operated. A private squash club and tennis center were also coded with this designation.

#### **BURIAL GROUNDS (6000).**

*Cemetery/mortuary/mausoleum (6000).* Funeral homes, burial grounds, crematoria.

#### **MARINAS (8000).**

*Commercial marinas and commercial boat dockage (8000).* Commercial marinas with boat dockage, ferry service. May include such secondary uses as boat repair, concession facility, or gas station.

*Boat ramps, non-commercial (8010).* Boat ramps. Ramp for launching and recovering boats; may be operated by Charlotte County Parks and Recreation Dept. One example is the Placida Boat Ramp.

**ABANDONED STRUCTURES (9000).**

*Abandoned structures* (9000). Building and structures without occupants or signs of activity, usually in disrepair or dilapidated. If boarded up or falling down, the coding is obvious, but there are also many buildings which did not look to be inhabitable. Buildings which had been vacant for a period of years with tall grass or structures which were never completed were labeled as abandoned.